

United States v. Andrade

Defendant's Sentencing Memorandum

ATTACHMENT-3

Deposition of:

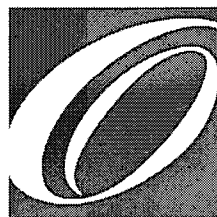
Corey Jodoin

Case:

NAC Foundation, LLC v. Corey Jodoin, et al.
A-18-770594-C

Date:

04/16/2020



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<p>1 DISTRICT COURT</p> <p>2 CLARK COUNTY, NEVADA</p> <p>3 *****</p> <p>4</p> <p>5 NAC FOUNDATION, LLC, a Nevada</p> <p>6 limited liability company,</p> <p>7 Plaintiff,</p> <p>8 vs. Case No. A-18-770594-C</p> <p>9 COREY JODOIN, individually;</p> <p>10 BRANDI JODOIN, individually;</p> <p>11 DOES 1 through 10; and ROE</p> <p>12 CORPORATIONS 1 through 10,</p> <p>13</p> <p>14</p> <p>15</p> <p>16 REMOTE VIDEOCONFERENCE DEPOSITION OF COREY JODOIN</p> <p>17 Taken on April 16, 2020</p> <p>18 At 1:18 p.m.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Reported by: Kimberly A. Farkas, RPR, CCR #741</p> <p>24 Job No. 40188</p> <p>25</p>	<p>1 VIDEOCONFERENCE DEPOSITION OF COREY JODOIN</p> <p>2 April 16, 2020</p> <p>3 Kimberly A. Farkas, CCR No. 741</p> <p>4 *****</p> <p>5</p> <p>6 INDEX</p> <p>7 Page</p> <p>8 COREY JODOIN</p> <p>9 Examination by Mr. Olsen 5</p> <p>10 *****</p> <p>11</p> <p>12 EXHIBITS</p> <p>13 No. Description Page</p> <p>14</p> <p>15 Exhibit 1 Bates Nos. 0001 - 0098 4</p> <p>16 Exhibit 2 Bates Nos. 0099 - 0111 4</p> <p>17 Exhibit 3 Bates Nos. 0112 - 0329 4</p> <p>18 Exhibit 4 Bates Nos. 0330 - 0503 4</p> <p>19 Exhibit 5 Bates Nos. 0504 - 0526 4</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 Remote Videoconference Deposition of COREY</p> <p>2 JODOIN, taken on Thursday, April 16, 2020, at 1:18</p> <p>3 p.m., before Kimberly A. Farkas, Certified Court</p> <p>4 Reporter in and for the State of Nevada.</p> <p>5</p> <p>6 APPEARANCES</p> <p>7</p> <p>8 For the Plaintiffs:</p> <p>9</p> <p>10 ERIC R. OLSEN, ESQ.</p> <p>11 Garman Turner Gordon, LLP</p> <p>12 7251 Amigo Street, Suite 210</p> <p>13 Las Vegas, Nevada 89119</p> <p>14 (725) 777-3000</p> <p>15</p> <p>16 For the Defendants:</p> <p>17</p> <p>18 ADAM R. KNECHT, ESQ.</p> <p>19 Alverson Taylor & Sanders</p> <p>20 6605 Grand Montecito Parkway, Suite 200</p> <p>21 Las Vegas, Nevada 89149</p> <p>22 (702) 384-7000</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 LAS VEGAS, NEVADA</p> <p>2 Thursday, April 16, 2020</p> <p>3 1:18 p.m.</p> <p>4 DEPOSITION OF COREY JODOIN</p> <p>5 *****</p> <p>6 (Exhibit Nos. 1 through 5 were marked prior</p> <p>7 to commencement of the deposition.)</p> <p>8 THE STENOGRAPHER: Good afternoon. My name</p> <p>9 is Kimberly Farkas. I am a Nevada certified court</p> <p>10 reporter here on behalf of Oasis Reporting Services.</p> <p>11 My CCR number is 741.</p> <p>12 Today's date is April 16, 2020. The time is</p> <p>13 approximately 1:18 p.m.</p> <p>14 This is the deposition of Corey Jodoin in the</p> <p>15 matter of NAC Foundation versus Jodoin, venued in the</p> <p>16 District Court of the State of Nevada for the County of</p> <p>17 Clark, Case No. A-18-770594-C.</p> <p>18 At this time I will ask counsel to identify</p> <p>19 themselves, state whom they represent, and agree on the</p> <p>20 record that there is no objection to this deposition</p> <p>21 officer administering a binding oath to the witness</p> <p>22 through remote video conferencing. If no objection is</p> <p>23 stated, we will proceed forward with the agreement of</p> <p>24 all counsel.</p> <p>25 We will begin appearances with the noticing</p>

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<p>1 attorney, Mr. Olsen.</p> <p>2 MR. OLSEN: Yes. This is Eric Olsen of</p> <p>3 Garman Turner Gordon. I represent the plaintiff, NAC</p> <p>4 Foundation, LLC.</p> <p>5 MR. KNECHT: Adam Knecht with Alverson</p> <p>6 Taylor. I represent Defendant Corey Jodoin.</p> <p>7</p> <p>8 COREY JODOIN,</p> <p>9 having been first duly sworn, was examined and</p> <p>10 testified as follows:</p> <p>11 EXAMINATION</p> <p>12 BY MR. OLSEN:</p> <p>13 Q. Mr. Jodoin, go ahead and restate your name on</p> <p>14 the record, please.</p> <p>15 A. Name is Corey M. Jodoin, Spruce Grove,</p> <p>16 Alberta, Canada.</p> <p>17 Q. What's your address?</p> <p>18 A. Number 31 at 54108 Range Road 280, Spruce</p> <p>19 Grove.</p> <p>20 Q. Have you ever had your deposition taken</p> <p>21 before?</p> <p>22 A. No.</p> <p>23 Q. Well, let me go through a few ground rules</p> <p>24 then. I know you listened in on your wife's deposition</p> <p>25 last week, but you probably weren't listening to this</p>	<p>1 to discern your meaning after the fact in a written</p> <p>2 record so I'd ask that you also not use those</p> <p>3 responses.</p> <p>4 Do you understand that?</p> <p>5 A. I understand.</p> <p>6 Q. Everything being taken -- well, it's also the</p> <p>7 case that you may hear objections by your counsel</p> <p>8 interposed today during this proceeding. In almost</p> <p>9 every case you'll be instructed to answer the question</p> <p>10 despite the objection. The objection is just for the</p> <p>11 record. If there's a rare exception, it would be with</p> <p>12 any attorney/client privileged communication, but aside</p> <p>13 from that, you'll be instructed to go ahead and answer</p> <p>14 the question.</p> <p>15 Do you understand that?</p> <p>16 A. I understand.</p> <p>17 Q. As I said, everything is being taken down</p> <p>18 today by the court reporter. You'll have the chance to</p> <p>19 review the written transcript of the deposition today,</p> <p>20 but because I can comment on changes you may make after</p> <p>21 the fact to the deposition transcript, it's important</p> <p>22 that you give your most accurate answers today if</p> <p>23 possible. Understood?</p> <p>24 A. I understand.</p> <p>25 Q. Now, you should have --</p>
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<p>1 part. This is a deposition pending in the Clark County</p> <p>2 District Court, which you're familiar with. You were</p> <p>3 placed under an oath, the same oath you would be under</p> <p>4 in a court of law, and you are obligated to give</p> <p>5 truthful answers to the best of your ability in</p> <p>6 response to my questions.</p> <p>7 Do you understand that?</p> <p>8 A. I do understand.</p> <p>9 Q. Even though everything that we're doing here</p> <p>10 is on video, it's also being taken down by the court</p> <p>11 reporter, and that is going to be the official</p> <p>12 transcript of this proceeding. So it's important, for</p> <p>13 purposes of that permanent record, that you understand</p> <p>14 my questions when I ask them. If you don't understand</p> <p>15 a question, you can let me know that, and I will, to</p> <p>16 the best of my ability, I will try to rephrase that</p> <p>17 question.</p> <p>18 It's also important that we not speak over</p> <p>19 each other because the court reporter, especially in</p> <p>20 this setting, has a difficult time taking down multiple</p> <p>21 people speaking at the same time. It's also important</p> <p>22 that you, in response to yes or no answers, that you</p> <p>23 say "yes" or "no" as opposed to shaking your head,</p> <p>24 nodding your head, that sort of thing. Also, saying</p> <p>25 "uh-huh" or "huh-uh" is difficult to -- it's difficult</p>	<p>1 MR. OLSEN: Counsel do you have anything to</p> <p>2 add?</p> <p>3 MR. KNECHT: No. No, I don't.</p> <p>4 BY MR. OLSEN:</p> <p>5 Q. You should have received, I think we're up</p> <p>6 to, five exhibit packets for this deposition today.</p> <p>7 And as I go through the deposition, there will be a</p> <p>8 number of those that I'll refer to. You'll find on the</p> <p>9 bottom right corner of each page in those different</p> <p>10 exhibits a series of numbers. Those are referred to as</p> <p>11 Bates stamp number or I'll just refer to it by its page</p> <p>12 number. So that's how I will -- in the stack of</p> <p>13 documents that may constitute an exhibit, I will refer</p> <p>14 you to that and give you some time to locate the</p> <p>15 particular item.</p> <p>16 A. I was not able to print all of them off. Is</p> <p>17 that something you would like me to do?</p> <p>18 Q. Well, we'll do the best -- do the best we</p> <p>19 can. It's possible we'll have to do a work around</p> <p>20 that. I'm not using all of them. And if I have -- we</p> <p>21 don't have the one that I'm focused on, we'll either</p> <p>22 have to -- madam court reporter, I know we've had some</p> <p>23 people publish the documents and hold them up to the</p> <p>24 camera. I'm not sure how that's going to work, but</p> <p>25 what we may do is take a break and send that particular</p>

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<p>1 page. We'll see how this works.</p> <p>2 Did you look at any documents in preparation</p> <p>3 for your deposition today?</p> <p>4 A. I looked at a few, yes.</p> <p>5 Q. What did you look at?</p> <p>6 A. Mostly the timeline, just trying to get my</p> <p>7 head around all that transpired. It's been five years.</p> <p>8 So just trying to review.</p> <p>9 Q. Okay. And the timeline, did you look at a</p> <p>10 particular document? Did you have a timeline drawn out</p> <p>11 or did you look at different documents to determine the</p> <p>12 timeline?</p> <p>13 A. Mostly different documents just to kind of</p> <p>14 get an idea of what was going on. It's been five years</p> <p>15 and I hadn't really looked at a whole lot of these</p> <p>16 documents for a while. So just need to refresh.</p> <p>17 Q. It's been an ongoing case since that time or</p> <p>18 cases; correct?</p> <p>19 A. Correct.</p> <p>20 Q. So you still have a pretty good recollection</p> <p>21 of the facts as they took place back in 2015-2016?</p> <p>22 A. Fairly good idea.</p> <p>23 Q. Okay. Do you recall, of the documents you</p> <p>24 looked at, any of the particular documents you reviewed</p> <p>25 to establish the timeline?</p>	<p>1 A. Correct.</p> <p>2 Q. Has that timeline been produced in this case</p> <p>3 to your attorney and then to plaintiffs?</p> <p>4 A. Yes, that's correct.</p> <p>5 Q. It has been produced?</p> <p>6 A. Well, it's with my lawyers. So they have all</p> <p>7 the documents.</p> <p>8 MR. KNECHT: Objection. Work product.</p> <p>9 BY MR. OLSEN:</p> <p>10 Q. Brandi prepared that for the two of you to</p> <p>11 look at or were you instructed by your lawyer to</p> <p>12 prepare that?</p> <p>13 A. I believe that we were instructed by a</p> <p>14 lawyer. And I would also say that Brandi was very</p> <p>15 accommodating to help write down notes and memories.</p> <p>16 She remembers a lot more of the little details than I</p> <p>17 do.</p> <p>18 Q. And are you relying today, to some extent at</p> <p>19 least, on your review of that timeline?</p> <p>20 A. No.</p> <p>21 Q. So you reviewed it and it served no purpose?</p> <p>22 A. The only purpose that it actually had for me</p> <p>23 was that it help put perspective in timeframes of when</p> <p>24 things happened.</p> <p>25 Q. Did that timeline include communications that</p>
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<p>1 A. Can you restate the question. I'm not sure I</p> <p>2 understand.</p> <p>3 Q. Name any of the documents you were talking</p> <p>4 about that you looked at to refresh your recollection</p> <p>5 of the timeline.</p> <p>6 A. There's -- I don't have a document number. I</p> <p>7 don't know how to answer that question.</p> <p>8 Q. Just tell me what -- just describe them for</p> <p>9 me and for the record. You don't need to give me --</p> <p>10 they don't have to be the exhibits.</p> <p>11 A. I see. I see. Well, when everything kind of</p> <p>12 transpired, basically, Brandi had written sort of like</p> <p>13 a timeline of certain events that happened throughout,</p> <p>14 you know, the few months that we were with NAC. And so</p> <p>15 I just reviewed that mostly.</p> <p>16 Q. Okay. And when did she prepare that</p> <p>17 timeline?</p> <p>18 A. I believe that would have been in -- it was</p> <p>19 updated probably March, somewhere March 2016, May,</p> <p>20 April-May, somewhere in there.</p> <p>21 Q. When was it last updated?</p> <p>22 A. It's never been updated.</p> <p>23 Q. I thought you said it's been updated.</p> <p>24 So March 2016, there was a timeline prepared</p> <p>25 by Brandi, and you've reviewed that?</p>	<p>1 you or your wife had with the</p> <p>2 Alberta Securities Commission?</p> <p>3 A. It did not.</p> <p>4 Q. Did it include communications you or your</p> <p>5 wife had with the FBI?</p> <p>6 A. It did not.</p> <p>7 Q. Did it include any other communications</p> <p>8 relating to -- well, did it reference any other</p> <p>9 communications with any other governmental agency?</p> <p>10 A. I don't think so.</p> <p>11 Q. So you became affiliated with NAC</p> <p>12 Foundation -- if we refer to it as NAC, you'll know</p> <p>13 what I'm talking about; right?</p> <p>14 A. I do.</p> <p>15 Q. -- and you became an officer in some fashion</p> <p>16 of the company. What was your title?</p> <p>17 A. Well, when Marcus and I had a relationship, I</p> <p>18 guess before I was ever given a title, that</p> <p>19 relationship would have been -- it was a cold call, I</p> <p>20 guess, to buy some coins as an investment.</p> <p>21 Q. I'm not asking you about that. I don't need</p> <p>22 the story from the beginning. I'm asking you at the</p> <p>23 point when you became -- the point where you were doing</p> <p>24 some work for NAC, you got a title as an officer;</p> <p>25 correct?</p>

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1 A. Yes, I was an officer.
 2 Q. And was that chief operating officer; is that
 3 correct, COO?
 4 A. It was originally CEO Marcus offered me, and
 5 I refused it. Marcus is the face of the company, and I
 6 was a bit surprised that he would offer that.
 7 Q. So you took on the COO role?
 8 A. He talked me into becoming a COO; correct.
 9 Q. Okay. How would you describe what duties you
 10 fulfilled when you had that role? What did you do?
 11 A. Are you asking what I did or what I thought
 12 my duties were?
 13 Q. Start with what you thought your duties were.
 14 A. Well, as a COO, I was very unqualified to be,
 15 you know, a chief operating officer for a digital
 16 company. So it was -- because it was a start-up
 17 company, that it needed some help just to get things
 18 rolling, I was more than happy to help Marcus out and
 19 work things through, but at the end of the day, being a
 20 COO, you know, I thought I'd be involved in promoting
 21 the coin, promoting the company and make it grow.
 22 Q. Okay. What are the qualifications for COO of
 23 a cryptocurrency -- well, a technology company which is
 24 designed to put out some sort of cryptocurrency at some
 25 point? What are the qualifications?

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1 A. I'm not an expert in this digital currency.
 2 I don't know what all the qualifications would be.
 3 Q. You said you weren't qualified. So I'm
 4 asking you do you know what the qualifications are?
 5 A. Well, I would assume that there's
 6 qualifications. You would need to be very good at
 7 marketing, not just local but on the world stage. You
 8 would need to have a very good understanding of what
 9 the digital currency was. And I'm in a very big
 10 learning curve so --
 11 Q. Sorry. Go ahead.
 12 A. -- I wasn't able to fulfill all of that.
 13 Q. You took on the role, and you did undertake
 14 certain tasks. Can you tell me what your recollection
 15 of those tasks was?
 16 A. I believe helping Marcus manage and build the
 17 company was the biggest challenge that I had. Learning
 18 the company, learning the currency or the environment
 19 of the world, was another challenge that I had. Trying
 20 to work with -- within the parameters of NAC. It's a
 21 small company. Had to figure out who's doing what and
 22 where.
 23 So does that answer your question?
 24 Q. Yeah. I mean, that would be true of any --
 25 you've worked in small companies before. That would be

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1 true of any small company, you have to learn who is who
 2 and what needs to be done?
 3 A. I agree.
 4 Q. Do you agree? Okay.
 5 You ran -- I guess you have a business now;
 6 correct?
 7 A. I do.
 8 Q. It's a construction business of some kind?
 9 A. It is.
 10 Q. And what is that business called?
 11 A. C & B Excavating.
 12 Q. And I assume from that it does excavation
 13 related to land and construction projects?
 14 A. That's correct.
 15 Q. And at the time that you became involved with
 16 NAC, you were associated with a different excavating
 17 company, I think your wife mentioned; is that correct?
 18 A. That is correct.
 19 Q. What was the name of that company?
 20 A. A & A Trenching.
 21 Q. Did they do the same thing or is trenching
 22 different than excavating?
 23 A. Pretty much the same.
 24 Q. Okay. And how big a company -- that company
 25 is no longer in existence, I understand?

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1 A. That's correct.
 2 Q. And how big a company was that? How many
 3 employees?
 4 A. We had, from off season, about 45 employees
 5 all the way up to about 80.
 6 Q. Would you say 80, is that during on season
 7 for construction?
 8 A. Yes.
 9 Q. Okay. And what was your job for that
 10 company? Were you the CEO for that company?
 11 A. COO.
 12 Q. Okay. Did you have multiple projects at any
 13 given time? Did that company have multiple projects at
 14 any given time?
 15 A. We did.
 16 Q. Okay. What sort is that? Commercial
 17 construction?
 18 A. Some commercial construction, some
 19 residential construction.
 20 Q. And commercial jobs in particular may be
 21 interacting with other contractors and trades; correct?
 22 A. Yes, we would.
 23 Q. And you would be interacting with different
 24 people within your company keeping everything sort of
 25 organized; right, as COO?

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1 A. Yes, as a COO, we do our best to make sure
2 everything is going the right way.

3 Q. How long did you do -- sorry. Go ahead.

4 A. Quality and integrity.

5 Q. Because you always want to act with quality
6 and integrity; correct?

7 A. Well, that was the logo of our A & A
8 Trenching.

9 Q. Really? Did it mean anything? Is it true
10 you always wanted to do quality work and act with
11 integrity?

12 A. I think we all want to do that, don't we?

13 Q. One would hope.

14 And how long did you do that for the
15 trenching company, A & A Trenching?

16 A. As the COO, about 10, 12 years.

17 Q. And you worked for the company before that
18 for how long?

19 A. Another 15 years.

20 Q. Did you have another officer role, another
21 title, for the 15 years?

22 A. No. I was a worker, employee.

23 Q. When you -- before -- when you were
24 affiliated as COO of NAC, was it a member of the
25 American Bankers Association?

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1 A. I believe we were.

2 Q. Okay. Did you participate in any way with
3 the American Bankers Association yourself?

4 A. I did not. Marcus and -- I think Marcus did
5 most of that.

6 Q. Okay. But you knew -- you knew it was
7 affiliated with the ABA.

8 Did Brandi have some interaction with the
9 ABA?

10 A. She had some interaction with the ABA.

11 Q. Do you know the nature of that interaction?

12 A. Very little. She was mostly just trying to
13 read up and understand what was going on. She was
14 trying to understand when there were conferences or
15 bigger things to start getting involved in, a lot of
16 legwork.

17 Q. And did you get involved in any or attend --
18 get involved in any ABA, American Bankers Association,
19 conferences or interact with that organization?

20 A. I did not.

21 Q. You told -- you told people, other people
22 outside the company, that NAC was affiliated with the
23 American Bankers Association; correct?

24 A. Probably not.

25 Q. You did promote the company; right?

1 A. I did.

2 Q. In fact, you sold coins or tokens
3 representing coins to various buyers; correct?

4 A. I did.

5 Q. And did you -- so you don't know whether you
6 mentioned the ABA to anyone, either a buyer or just
7 someone you were interacting with as the COO?

8 A. I don't recall. Honestly, I know that in the
9 presentations there was mentions of the ABA, that we
10 were affiliated, but that's as far as that went.

11 Q. And when you say "presentations," you
12 participated in making some presentations; correct, for
13 NAC?

14 A. I did participate.

15 Q. When you started with NAC and Aten Coin, you
16 became affiliated, was it the Aten Black Gold Coin, is
17 that what was -- the currency that was --

18 A. Yes.

19 Q. Okay. And at some point they dropped the
20 "Black Gold" part; right?

21 A. They did.

22 Q. What was your understanding of why that
23 occurred?

24 A. Well, I think -- I do not recall. The name
25 Aten Coin came from Terence, Marcus' partner, other

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1 partner. And it just meant that it's an invaluable
2 precious metal, an invaluable precious digital
3 currency. And I believe that's sort of the new
4 re-branding that Marcus was looking at.

5 Q. And you sold -- you're talking about selling
6 coins to various people. You sold the Aten Coin to
7 various people; correct?

8 A. That is correct.

9 Q. On behalf of NAC?

10 A. That is correct.

11 Q. You mentioned Terence. Is that Terence Poon?

12 A. Yes, sir.

13 Q. We'll come back to Terence.

14 I'm going to refer you -- probably the
15 easiest place to go for this, we'll see, is Exhibit 4.
16 Do you have Exhibit 4 printed out?

17 A. Exhibit?

18 Q. The exhibits should be numbered 1 through 5
19 and then there would be those page numbers that I
20 referred to earlier at the bottom right.

21 A. Okay. So is there a page number then?

22 Q. I'm looking at page 330, 0330.

23 A. Okay. I have that.

24 Q. Okay. And this is -- can you tell me what
25 this document is?

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<p>1 A. This is the purchase agreement.</p> <p>2 Q. Okay. And I will tell you that in Exhibit 4,</p> <p>3 Exhibit 4 contains purchase agreements to the following</p> <p>4 people. And if you'll listen to this list, it isn't</p> <p>5 listed anywhere, but rather than have you dig through</p> <p>6 it, I'm going to give you some names.</p> <p>7 Albert Jodoin, is that your father?</p> <p>8 A. That is.</p> <p>9 Q. Albert Jodoin, Andrea LeFevres, Chantal</p> <p>10 Ortmeier, John Bokenfohr, Larry Wells -- is it</p> <p>11 Purchase? Does that ring a bell? Larry Wells?</p> <p>12 A. I'm sorry, the question again, please?</p> <p>13 Q. I'm asking you do you know some people named</p> <p>14 Purchase?</p> <p>15 A. No. It's Larry Wells.</p> <p>16 Q. It's Larry Wells. It's short. Larry Wells,</p> <p>17 Laura Rodgers, Michael Barter, Mitchell Bokenfohr,</p> <p>18 Murray King, Paul McGonigal, Rebecka Hiatt,</p> <p>19 Scott Rodgers, and Tim Gallant.</p> <p>20 Do you recognize those names?</p> <p>21 A. I do.</p> <p>22 Q. Is there anyone else that you remember</p> <p>23 selling the Aten Coin or Aten Coin token to?</p> <p>24 A. Is there anyone that I remember selling it</p> <p>25 to?</p>	<p>1 coins to, and you presented the purchase agreements</p> <p>2 that look like this one that is to -- this one is</p> <p>3 actually to your dad, executed by your dad?</p> <p>4 A. That is correct.</p> <p>5 Q. Okay. And you got some credit with NAC for</p> <p>6 making these sales; correct, or getting these executed</p> <p>7 purchase agreements?</p> <p>8 A. I don't know. The idea was to have some sort</p> <p>9 of credit, but that never came through.</p> <p>10 Q. Was it supposed to be credited against</p> <p>11 amounts you owed to NAC?</p> <p>12 A. No.</p> <p>13 Q. That's not your understanding of the</p> <p>14 agreement?</p> <p>15 A. That is correct.</p> <p>16 Q. Take a look at -- well, take a look at page</p> <p>17 0336. 0336, there's signatures for Aga and then for</p> <p>18 NAC Foundation. And then there's a section called KYC</p> <p>19 Compliance Information. What is that referring to?</p> <p>20 A. I believe KYC means "know your customer."</p> <p>21 Q. Okay. And what did that mean, just that</p> <p>22 you're going to supply this information that's</p> <p>23 contained here to NAC?</p> <p>24 A. Well, I believe it's just to prove that he's</p> <p>25 a person and not just a random, fictitious person. So</p>
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<p>1 Q. Yeah. All of these are people that are</p> <p>2 listed -- that are on purchase agreements that are</p> <p>3 contained in Exhibit 4. And all of those purchase</p> <p>4 agreements are people that you sold the coins to.</p> <p>5 Those names all ring a bell?</p> <p>6 A. They do.</p> <p>7 Q. And are there any others to whom you sold --</p> <p>8 A. I don't remember that there's anyone else</p> <p>9 that I sold coins to.</p> <p>10 Q. Did you attempt to sell coins to other</p> <p>11 people?</p> <p>12 A. There were still many or people interested.</p> <p>13 Q. Okay. And were those people just in your</p> <p>14 area, in Alberta, or were some of those people from</p> <p>15 other places?</p> <p>16 A. I would only know the ones in Alberta. I</p> <p>17 don't know. I don't know anyone else.</p> <p>18 Q. Okay. Let's take a look at page starting at</p> <p>19 330. And you said this is the purchase agreement.</p> <p>20 Take a look through it. Take a look at this document</p> <p>21 through page 342. Go ahead and take a look through it.</p> <p>22 Have you had a chance to take a look?</p> <p>23 A. Yes, sir.</p> <p>24 Q. So the people that I named are people that</p> <p>25 you presented purchase agreements to. You sold the</p>	<p>1 he's a real person and --</p> <p>2 Q. Okay. Take a look at the next page. It's a</p> <p>3 document called Validation and Quality Assurance Form.</p> <p>4 A. I have it.</p> <p>5 Q. Do you see that?</p> <p>6 A. I see it.</p> <p>7 Q. Okay. And this has a number of questions,</p> <p>8 eight questions. And what does it say at the top? The</p> <p>9 first line that talks about this form, can you read</p> <p>10 that paragraph into the record.</p> <p>11 A. "This form is to be asked to the client by</p> <p>12 the office staff when calling the client and scheduling</p> <p>13 for his or her wallet installation. A copy of this</p> <p>14 completed form must be in the file of every client."</p> <p>15 Q. Okay. Did you ensure that each of the</p> <p>16 contracts that is in the packet, each of the purchase</p> <p>17 agreements that you got people to sign, had a</p> <p>18 Validation and Quality Assurance Form associated with</p> <p>19 it?</p> <p>20 A. We did. I did.</p> <p>21 Q. You did? And what was your understanding of</p> <p>22 the reason for this form, which is different than the</p> <p>23 KYC information?</p> <p>24 A. This was, I believe, the quality assurance</p> <p>25 that was given to the office staff directed by Marcus,</p>

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<p>1 of course, for quality assurance to show that whoever</p> <p>2 sold the coins, that the company validated that they</p> <p>3 were -- whoever sold the coins did it properly, yes.</p> <p>4 Q. Okay. And in the case of all these</p> <p>5 particular purchase agreements, you had sold the coins</p> <p>6 and so you would hope there would be a Validation</p> <p>7 Quality Assurance Form for each of those contracts;</p> <p>8 correct?</p> <p>9 A. Well, I would.</p> <p>10 Q. Did you check to make sure there were for</p> <p>11 each of these?</p> <p>12 A. I did not check to do each of them or, I'm</p> <p>13 sorry, for all of them. Because there was a concern</p> <p>14 towards the end of -- this was Marcus' job. This is</p> <p>15 Marcus' office building; right.</p> <p>16 Q. That wasn't my question. My question wasn't</p> <p>17 whose job it was. You're the person who sold. I'm</p> <p>18 just asking you as the seller whether you checked to</p> <p>19 see whether each of those agreements ended up having a</p> <p>20 Validation Quality Assurance Form?</p> <p>21 A. As the seller, I don't think that was my job.</p> <p>22 I do -- I do believe that the office was to confirm</p> <p>23 this was to happen. And that information went to</p> <p>24 Marcus.</p> <p>25 Q. I'm asking you a different question. And the</p>	<p>1 A. I don't recall.</p> <p>2 Q. Okay. Could you read the first line just</p> <p>3 under the title of this document on 0339.</p> <p>4 A. First line under the title?</p> <p>5 Q. Yeah. It starts with "This form."</p> <p>6 A. "This form is to be asked to the client</p> <p>7 representative based on his dealing with the client.</p> <p>8 This is to be asked by an NAC authorized</p> <p>9 representative."</p> <p>10 Q. Okay. So you've indicated that you didn't</p> <p>11 necessarily check to see if the Validation and Quality</p> <p>12 Assurance Forms had been completed. In the case of the</p> <p>13 CALE forms on purchase agreements you obtained, you</p> <p>14 signed those; correct?</p> <p>15 A. Could you repeat the question, please.</p> <p>16 Q. You signed all the CALE forms on the purchase</p> <p>17 agreements that you obtained?</p> <p>18 A. I did.</p> <p>19 Q. So I want to ask you --</p> <p>20 A. On the ones -- the office would send the CALE</p> <p>21 form back to me, and that's when I would go through it</p> <p>22 and sign it.</p> <p>23 Q. And the calls to and from the office were</p> <p>24 recorded; correct, at that time anyway for quality</p> <p>25 assurance?</p>
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<p>1 answer seems to be, no, you didn't check to see whether</p> <p>2 each of these purchase agreements that you had entered</p> <p>3 into on behalf of NAC with your friends and relatives</p> <p>4 in Canada contained the Validation Quality Assurance</p> <p>5 Form; correct?</p> <p>6 A. I did not check.</p> <p>7 Q. Now, the next page after that form on page</p> <p>8 0339, that's the beginning of a document called Client</p> <p>9 AML Evaluation or acronym C-A-L-E.</p> <p>10 Are you familiar with the C-A-L-E or CALE</p> <p>11 form?</p> <p>12 A. I've seen this form, yes.</p> <p>13 Q. Well, based on the next page, page 0340,</p> <p>14 you've done more than see it. You've signed it;</p> <p>15 correct?</p> <p>16 A. That's correct.</p> <p>17 Q. Okay. And is it the case that you -- is it</p> <p>18 the case that you, I think, signed all of the purchase</p> <p>19 agreements that you had obtained, the ones that are in</p> <p>20 the exhibit, yourself? You signed off on the CALE</p> <p>21 form; correct?</p> <p>22 A. On these ones I did, yes.</p> <p>23 Q. Did you sign off on any others that were not</p> <p>24 people that you had obtained the purchase agreement</p> <p>25 from?</p>	<p>1 A. I believe so.</p> <p>2 Q. Okay. Did you ever access any call tapes?</p> <p>3 A. Never.</p> <p>4 Q. Okay. Did you ever direct anyone to any call</p> <p>5 tapes?</p> <p>6 A. No, I never did. And I've honestly never</p> <p>7 been involved in that. It's a tool I am not used to or</p> <p>8 accustomed to.</p> <p>9 Q. Did you direct the FBI to any call tapes or</p> <p>10 the existence of any call tapes?</p> <p>11 A. Absolutely not.</p> <p>12 Q. On this form -- well, as to this form and</p> <p>13 anybody that you did not enter the purchase agreement,</p> <p>14 you got the purchase agreement from, did you ever</p> <p>15 sign -- as you signed here on page 0340, did you ever</p> <p>16 sign any other CALE forms that you had not obtained the</p> <p>17 purchase on?</p> <p>18 A. I don't recall.</p> <p>19 Q. If you had done so, why would you have done</p> <p>20 so?</p> <p>21 A. I don't recall. I don't think I would have</p> <p>22 because I wouldn't have been selling; right?</p> <p>23 Q. Well, is it -- were you a client</p> <p>24 representative with respect to anyone, as designated</p> <p>25 here, with respect to anyone from whom you did not --</p>

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1 well, a different party got the client -- purchase
 2 agreement from? If you can understand that.
 3 A. Can you repeat it.
 4 Q. Did you sign as client representative on any
 5 purchase agreements other than the ones that you
 6 obtained from your Canadian clients?
 7 A. I don't think so.
 8 Q. And based upon looking at the last page of
 9 this, well, page 0340, the page that you signed, read
 10 that sentence in the box below your signature.
 11 A. The one that says "NAC authorized
 12 representative area?"
 13 Q. And goes on to say, "Based on."
 14 A. "Based on the information provided by the
 15 client representative, do you feel that this needs to
 16 be investigated further? If yes, you must submit this
 17 form to our compliance officer."
 18 Q. So the information contained in this form
 19 that was obtained in the case of these contracts from
 20 you, you filled out the form indicated here? When I
 21 say "filled it out," it's just circling a bunch of
 22 either Ys or Ns; right?
 23 A. Well, I did sign the form.
 24 Q. And you would have supplied the information
 25 contained in the form on lines -- as to lines 1 through

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1 14 on this document; correct?
 2 A. That is correct.
 3 Q. Did you -- I don't know how these sales
 4 worked, these purchase agreements. I know you went and
 5 you made presentations and you got -- some people
 6 signed purchase agreements; correct?
 7 A. Some people did.
 8 Q. Did you send to others or give to other
 9 people whom you had made the pitch to or presentation
 10 to purchase agreements which they just didn't sign and
 11 return?
 12 A. You mean did I send an obligation to people
 13 who didn't purchase any coins at all?
 14 Q. Not an obligation. Did you give them a
 15 purchase agreement and say, Hey, here's the deal, if
 16 you want to do it, sign this document, anything like
 17 that?
 18 A. Well, I would agree that, yes, I would have,
 19 but there was a few people that it was still just a
 20 phone call to see how they were doing. So I think not
 21 all of them got a purchase agreement.
 22 Q. Okay. How many, would you say, how many
 23 people who didn't sign a purchase agreement received
 24 one from you in one way or another?
 25 A. Just a couple maybe.

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1 Q. Do you know who that would be?
 2 A. Rick Stevens was one person that comes to
 3 mind. And I had met him -- I had talked to him a few
 4 times and he was on the fence. So I actually referred
 5 him to Marco Diadamo. So I basically surrendered my
 6 client representative so that he could have someone
 7 else from the NAC group to walk him through the
 8 purchase of the coins.
 9 Q. Did Rick Stevens end up buying coins?
 10 A. I have no idea.
 11 Q. Anyone else? You mentioned there might have
 12 been two people.
 13 A. Maybe a couple I was talking to. I can't
 14 remember right now, and I wouldn't know if they did
 15 fulfill it so...
 16 Q. Is Rick Stevens a local up there with you?
 17 A. He lives in Alberta.
 18 Q. Was NAC a member of the U.S. Federal Reserve
 19 Faster Payment Task Force?
 20 A. Yes, we were.
 21 Q. And that was during the time you were the
 22 COO; correct?
 23 A. That is correct.
 24 Q. In fact, you were designated the person to
 25 interact with the task force; right?

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1 A. That is correct.
 2 Q. And when was this interaction? The timeframe
 3 is somewhere between, I guess, the fall of 2015 and
 4 sometime March or so of 2016. That's the timeframe
 5 that this would have occurred; right?
 6 A. I agree.
 7 Q. Where within that timeframe would you place
 8 your interaction with the task force?
 9 A. I would say December to February.
 10 Q. What was that interaction? Did you have
 11 meetings or conferences or what?
 12 A. I attended one conference. Many of the
 13 meetings were held over an online video or the notes
 14 were reviewed or sent to those who were interested or
 15 registered. And the Federal Reserve was looking for a
 16 way to make faster payments. So they had invited a
 17 conglomerate of people to get involved to know what the
 18 Federal Reserve is looking for, and then present a
 19 presentation.
 20 Q. So you, on behalf of NAC, participated in
 21 some online meetings?
 22 A. Yes, I did.
 23 Q. And then you attended a conference; is that
 24 right?
 25 A. That is correct.

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<p>1 Q. When was that conference?</p> <p>2 A. That was the conference in Chicago. I</p> <p>3 believe it was in February.</p> <p>4 Q. Were you the only one there on NAC's behalf?</p> <p>5 A. I was.</p> <p>6 Q. So your wife was not there?</p> <p>7 A. She was not.</p> <p>8 Q. She had -- she told us in the deposition last</p> <p>9 time her title. What was her title with the company?</p> <p>10 A. Her title?</p> <p>11 Q. Yes. She described her title, and I don't</p> <p>12 recall the term off the top of my head, but do you</p> <p>13 recall what it was?</p> <p>14 A. Everyone's assistant?</p> <p>15 Q. No. I mean the title that was --</p> <p>16 A. The title that Marcus gave her was CAO, chief</p> <p>17 administrative officer, the title Marcus gave to her.</p> <p>18 Q. So she was doing administrative things. And</p> <p>19 she was not in Chicago for the task force meeting;</p> <p>20 correct?</p> <p>21 A. That is correct.</p> <p>22 Q. I understand, I think she said, you guys have</p> <p>23 10 kids?</p> <p>24 A. We have 12.</p> <p>25 Q. 12; okay. Cheaper by the dozen. I imagine</p>	<p>1 conference, some sort of an application?</p> <p>2 A. Yes. They were looking for applications</p> <p>3 through either a video or some sort of presentation on</p> <p>4 how you could help the Federal Reserve become better.</p> <p>5 And there were some people or some businesses that</p> <p>6 could make only parts of it better, and they would</p> <p>7 still do their presentation. At the conference, they</p> <p>8 were letting us know what was their challenges, but</p> <p>9 there was no one presenting at the conference.</p> <p>10 Q. As far as presentations, though, you put</p> <p>11 together a presentation to make to the task force?</p> <p>12 A. Yes, we paid for a video.</p> <p>13 Q. Okay. And it was a video? In video form?</p> <p>14 A. That is correct.</p> <p>15 Q. And was it submitted to the task force?</p> <p>16 A. I don't believe so.</p> <p>17 Q. You actually worked on it yourself, along</p> <p>18 with others, Marcus and others?</p> <p>19 A. I worked on it with Marcus and Jarek and with</p> <p>20 Brandi, of course Brandi.</p> <p>21 Q. Did you appear in it, in the video?</p> <p>22 A. I did not appear in the video.</p> <p>23 Q. Okay. Did anyone actually appear, any faces</p> <p>24 appear?</p> <p>25 A. I asked Brandi to appear in the video. And</p>
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<p>1 she's probably home taking care of the kids.</p> <p>2 So when you were at the conference in</p> <p>3 Chicago, what did you learn at that conference?</p> <p>4 A. Well, I learned that they were open to many</p> <p>5 concepts, many different ways of doing business. I</p> <p>6 think they were really looking for some very, very</p> <p>7 high-end alternatives. And I think they were trying to</p> <p>8 build community within -- you know, there were many</p> <p>9 banking professionals there. There were many digital</p> <p>10 currencies, many faster payment processors</p> <p>11 representatives there. So they were trying to let the</p> <p>12 mass people know their challenges, which were -- the</p> <p>13 Federal Reserve's challenges, which were very difficult</p> <p>14 to get money to everyone in a very timely, orderly</p> <p>15 fashion, and they were asking for ways to make it</p> <p>16 better.</p> <p>17 Q. You said -- I think you said, "high-end</p> <p>18 solutions." What do you mean by that?</p> <p>19 A. Well, there was a fairly strict -- I don't</p> <p>20 remember all of it, of course, but there were some very</p> <p>21 strict rules that they wanted to have because it's</p> <p>22 dealing with money. Nothing was quick and simple. It</p> <p>23 was --</p> <p>24 Q. I'm not sure if I know what you mean. Did</p> <p>25 you have to submit something to be able to attend the</p>	<p>1 the consensus was she has a very photogenic face. And</p> <p>2 she was asked. She accepted.</p> <p>3 Q. So she actually appeared in the video, Brandi</p> <p>4 did. And did Brandi also work on the video?</p> <p>5 A. No.</p> <p>6 Q. Okay. Are you sure that Marcus worked on it</p> <p>7 or was it -- are you sure about that?</p> <p>8 A. I'm pretty sure Marcus knew about it and was</p> <p>9 involved in it. He had seen the video and he gave a</p> <p>10 thumbs up for almost everything.</p> <p>11 Q. Okay. So he knew about it, undoubtedly. My</p> <p>12 question was did he actually participate in creating</p> <p>13 the video itself?</p> <p>14 A. I believe he did.</p> <p>15 Q. What did he do?</p> <p>16 A. He was very -- he was helpful for us to</p> <p>17 understand how the transactions worked.</p> <p>18 Q. So I take that to mean you asked Marcus for</p> <p>19 some information which was included in the video</p> <p>20 presentation?</p> <p>21 A. Well, yes. And -- well --</p> <p>22 Q. Anything else?</p> <p>23 A. Well, he wrote what he would want us to say</p> <p>24 in that regard. Because he's the expert in that, not</p> <p>25 me.</p>

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<p>1 Q. What do you mean he wrote it?</p> <p>2 A. He helped write the script to discuss how the</p> <p>3 banking works with the digital currency.</p> <p>4 Q. How the banking works with the digital</p> <p>5 currency. You had to take information that you gleaned</p> <p>6 from Marcus and maybe other sources and put it into the</p> <p>7 video format; correct?</p> <p>8 A. As a group, we worked on it together.</p> <p>9 Q. Okay. You told me what Marcus did. Who else</p> <p>10 was in that group that actually put the nuts and bolts</p> <p>11 of it together?</p> <p>12 A. Well, I believe it was Brandi and Jarek.</p> <p>13 Jarek helped me a little. I can't remember how much</p> <p>14 Jarek helped. But the script was what we were working</p> <p>15 on and then we did the video off the script. And</p> <p>16 Marcus helped us do the script.</p> <p>17 Q. He helped you do the script?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Who was the primary author? Was that</p> <p>20 you or was it Jarek?</p> <p>21 A. Probably Marcus.</p> <p>22 Q. You said he helped you put together the</p> <p>23 script. You didn't say he wrote it. He didn't write</p> <p>24 it; correct?</p> <p>25 A. Yeah, he did. He wrote it.</p>	<p>1 Just have to go forward this way.</p> <p>2 BY MR. OLSEN:</p> <p>3 Q. So this is a document -- actually, I talked</p> <p>4 to your wife about these biographies in her deposition,</p> <p>5 but this is a packet of biographies for the management</p> <p>6 team for the Aten group; correct?</p> <p>7 A. Yes, biographies are in that video.</p> <p>8 Q. Well, 0099, is that part of the video or is</p> <p>9 that just -- you're looking at a picture, that's what</p> <p>10 you're telling me?</p> <p>11 A. Yeah.</p> <p>12 Q. Okay. You mentioned Jarek. And I was</p> <p>13 looking for Jarek in this packet. What is Jarek's last</p> <p>14 name?</p> <p>15 A. I forget.</p> <p>16 Q. That's a different person than -- is that a</p> <p>17 different person than Jaroslaw Sirko?</p> <p>18 A. No. Jaroslaw Sirko, that's his name.</p> <p>19 Q. I do see that his -- that his bio is at page</p> <p>20 0106. Do you see that?</p> <p>21 A. No. I have 0113 and on.</p> <p>22 Q. Okay. I thought you had -- I thought you had</p> <p>23 0099, the beginning of the packet; is that correct?</p> <p>24 A. I don't. Exhibit 4?</p> <p>25 Q. No. Exhibit 2. Let me ask you, as far as</p>
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<p>1 Q. That's different from what you told me</p> <p>2 before. So he wrote it, you read it, and put your wife</p> <p>3 on the video. That's not what happened, is it?</p> <p>4 MR. KNECHT: Objection to form.</p> <p>5 BY MR. OLSEN:</p> <p>6 Q. I said, so now you're telling me that he</p> <p>7 wrote it, your wife read it, and you put it up on</p> <p>8 video. And then I said, that's not how it worked, is</p> <p>9 it?</p> <p>10 A. It's not what I said. What I said was we</p> <p>11 compiled it together. So what we gave to Marcus,</p> <p>12 Marcus said, no, this is wrong, rewrite this part,</p> <p>13 rewrite that part. And he changed our script. He was</p> <p>14 the major contributor in our script.</p> <p>15 Q. Okay. Take a look at Exhibit 4. Hopefully,</p> <p>16 you have it printed out. If you don't have it printed</p> <p>17 out, you can have it on your computer. Page number</p> <p>18 0099 is the beginning of it. It is the Aten Group and</p> <p>19 National Aten Coin Foundation Management Team packet.</p> <p>20 MR. KNECHT: Is this Exhibit 4, Counsel?</p> <p>21 MR. OLSEN: 2, Exhibit 2.</p> <p>22 THE WITNESS: I don't have it printed, but I</p> <p>23 have it on my computer.</p> <p>24 MR. OLSEN: Leave it up on your computer.</p> <p>25 See if I can read this a little better. Maybe not.</p>	<p>1 Jarek, what did he do for you? What was his -- what</p> <p>2 jobs did he do for you? According to this file, he was</p> <p>3 manager of business development EU National Aten Coin.</p> <p>4 That's what it says here. Is that your understanding</p> <p>5 of his title?</p> <p>6 A. Yes. He hadn't really worked into his title</p> <p>7 yet. He was really trying to help us with our video</p> <p>8 presentations. He had a lot of contacts with the</p> <p>9 banking industry in Europe. And so we were still</p> <p>10 trying to develop all of those strategies together.</p> <p>11 Q. Okay. So he was a guy who, not only did he</p> <p>12 work on the video, but he had banking contacts. Looked</p> <p>13 like he had been with Deutsche Bank in the past. Is</p> <p>14 that your understanding?</p> <p>15 A. I believe so.</p> <p>16 Q. According to this, he was with Deutsche Bank.</p> <p>17 He was also with Raiffeisen Bank. And he had a</p> <p>18 master's in international business. That's what his</p> <p>19 bio says. You have no reason to believe that's not</p> <p>20 true; correct?</p> <p>21 A. I would agree.</p> <p>22 Q. You never had any reason to think that Jarek</p> <p>23 was a dishonest person; right?</p> <p>24 A. I had no reason to believe that.</p> <p>25 Q. No reason to believe he misled you or anybody</p>

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<p>1 about anything, whether it's his background or about</p> <p>2 the product; correct?</p> <p>3 A. I would agree with that.</p> <p>4 Q. I'm also looking through this packet of the</p> <p>5 team, and I see Agnieszka Bilinska, head of marketing</p> <p>6 and PR. Who's that person?</p> <p>7 A. Agnieszka Bilinska?</p> <p>8 Q. Yes.</p> <p>9 A. She was another sales and marketing member of</p> <p>10 the Poland team.</p> <p>11 Q. And what did she bring to the table? I know</p> <p>12 you don't have the bio in front of you, but what did</p> <p>13 she bring to the table for NAC?</p> <p>14 A. Well, Marcus brought her on. I walked into</p> <p>15 her being a part of the team so I don't have that</p> <p>16 answer full right, but my understanding was her ability</p> <p>17 to market and her contacts were very valuable.</p> <p>18 Q. And did you learn -- you didn't pick her.</p> <p>19 You didn't know that at the beginning, but did you</p> <p>20 learn that to be true, an accurate statement?</p> <p>21 A. She seemed very knowledgeable in her field.</p> <p>22 Q. Did she have contacts that she -- that she</p> <p>23 utilized in her role?</p> <p>24 A. I would believe so. She was a very big part</p> <p>25 of the Polish conference. There was a lot of dignified</p>	<p>1 coin.</p> <p>2 Q. Is that when you signed the contract with</p> <p>3 Ms. Bilinska?</p> <p>4 A. No, I don't believe so.</p> <p>5 Q. Bilinska, I should say.</p> <p>6 It was a different time?</p> <p>7 A. Yeah.</p> <p>8 Q. Okay. Was the second Poland -- well, were</p> <p>9 the Poland trips successful? Did you get some things</p> <p>10 accomplished?</p> <p>11 A. Well, it seemed to. There's a lot of things</p> <p>12 that we would get done. There would always be</p> <p>13 something else we'd have to put back on our plate. It</p> <p>14 always seemed quite full.</p> <p>15 Q. How long were you there on those trips?</p> <p>16 Let's take the first trip. How long were you in</p> <p>17 Poland?</p> <p>18 A. Three, four days.</p> <p>19 Q. And how about for the second trip?</p> <p>20 A. The same.</p> <p>21 Q. Okay. So you mentioned Terence Poon before.</p> <p>22 He was -- what was his role? I'm trying to understand</p> <p>23 what his role was within NAC.</p> <p>24 A. I believe -- my understanding of Terence Poon</p> <p>25 was that he helped to write the code for the Aten Coin.</p>
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<p>1 people there.</p> <p>2 Q. I guess what I'm saying is did you observe</p> <p>3 her to be that person, to be a person who brought</p> <p>4 value, during your time with the company?</p> <p>5 A. I did observe it.</p> <p>6 Q. Do you have any reason to think she was not</p> <p>7 an honest person?</p> <p>8 A. I had no reason to think she was dishonest.</p> <p>9 Q. Did she have a contract with NAC?</p> <p>10 A. I believe she did.</p> <p>11 Q. Didn't you sign that contract?</p> <p>12 A. Yes, I did.</p> <p>13 Q. Do you know when that was?</p> <p>14 A. It was in Poland.</p> <p>15 Q. How many times were you in Poland for this?</p> <p>16 A. In Poland, in October and again in November</p> <p>17 or December. We were in Poland twice.</p> <p>18 Q. And when you were in Poland, what did you --</p> <p>19 you were there for NAC; correct?</p> <p>20 A. Yes.</p> <p>21 Q. What did you do there during those trips?</p> <p>22 A. Well, we worked with Marcus to try to find</p> <p>23 another office space. We were looking at setting up</p> <p>24 contracts with Agnieszka Cenzartowicz, finding some</p> <p>25 more marketing people in Europe so we could develop our</p>	<p>1 And he helped to check it to see if it was KYC friendly</p> <p>2 or approved or know your customer. So I believe he was</p> <p>3 involved with Marcus to develop the coin to have the</p> <p>4 patents that it did. That was my understanding.</p> <p>5 Q. Okay. And there are some patents associated</p> <p>6 with this technology; correct?</p> <p>7 A. I'm told there is.</p> <p>8 Q. Okay. So Terence, he didn't have -- did he</p> <p>9 have a title? Was he the chief technology officer or</p> <p>10 something? What was his title?</p> <p>11 A. Terence didn't really have a title. For the</p> <p>12 conference, I think we gave him one.</p> <p>13 Q. So for the conference. Which conference are</p> <p>14 we talking about?</p> <p>15 A. The Alberta conference.</p> <p>16 Q. Okay. Did he attend?</p> <p>17 A. He did attend.</p> <p>18 Q. Okay. Did Marcus attend that conference?</p> <p>19 A. Yes, Marcus attended.</p> <p>20 Q. You attended, Terence attended, Marcus, and</p> <p>21 then Brandi. Anyone else?</p> <p>22 A. Jarck was there, Agnieszka was there, Igor</p> <p>23 Solodovnik was there. Agnieszka Bilinska was there.</p> <p>24 Sachin was there. Marco Diadamo was there.</p> <p>25 Q. Marco Diadamo, your wife and I spoke about</p>

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<p>1 him the last time. He was another client</p> <p>2 representative; correct?</p> <p>3 A. I believe so. He was the head of sales for</p> <p>4 NAC.</p> <p>5 Q. You actually referred at least one --</p> <p>6 Mr. Stevens referred him to Marco for purposes of</p> <p>7 closing a deal; right?</p> <p>8 A. I did.</p> <p>9 Q. Let me ask you, as far as Terence, do you</p> <p>10 have any reason to believe he's a dishonest person?</p> <p>11 A. I have no reason to believe he's a dishonest</p> <p>12 person.</p> <p>13 Q. Did he ever make any misrepresentations to</p> <p>14 you?</p> <p>15 A. I don't believe so.</p> <p>16 Q. Now, we talked about Jarek. You mentioned</p> <p>17 Sachin. Who is Sachin?</p> <p>18 A. Sachin is the wallet installer, technical</p> <p>19 guy.</p> <p>20 Q. Did he have a title with the company?</p> <p>21 A. Sure. I don't remember.</p> <p>22 Q. Did you ever give instructions to Sachin?</p> <p>23 Was he somebody that you worked with?</p> <p>24 A. No, I never gave instructions to Sachin.</p> <p>25 Most instructions were done through Marcus. I had</p>	<p>1 A. Well, you go to the website or the link. And</p> <p>2 you would push the "download" button to install a</p> <p>3 wallet. It would go through listing your name and your</p> <p>4 address and verifying who you were.</p> <p>5 Once that was complete, you had to choose</p> <p>6 whether it was a Mac or a PC wallet that you needed.</p> <p>7 And then you let it download.</p> <p>8 Once the wallet was downloaded, then you had</p> <p>9 to make a call to the office and needed to get ahold of</p> <p>10 Sachin. Sachin would call you back and try to get your</p> <p>11 wallet to get active.</p> <p>12 Q. And what was involved -- was there an ID</p> <p>13 verification process to get it active?</p> <p>14 A. There was an ID verification process. It was</p> <p>15 very slow and clumsy. And Marcus was trying to develop</p> <p>16 that even more. He'd brought in other third-party</p> <p>17 verifiers to kind of make that process quicker.</p> <p>18 Q. Okay. And it was slow, but it worked; right?</p> <p>19 A. Not always. Some computers were too old.</p> <p>20 Some computers might.</p> <p>21 Q. If it didn't work in a given instance, what</p> <p>22 would be done to correct that?</p> <p>23 A. I don't know. That was in Sachin's area.</p> <p>24 And he would go to Marcus for that information.</p> <p>25 Q. So, ultimately, people got coins in their</p>
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<p>1 conversations with Sachin to install my own wallet into</p> <p>2 my computer. I had conversations with Sachin to</p> <p>3 understand what some of the hiccups were with his</p> <p>4 wallets being downloaded on other computers.</p> <p>5 Q. Okay. So installing the wallet. For the</p> <p>6 record, a wallet is a thing; it's a place where you put</p> <p>7 your coins; correct?</p> <p>8 A. It is a digital wallet that -- where you</p> <p>9 store your coins.</p> <p>10 Q. Okay. And so when you described a -- what's</p> <p>11 the wallet installer then?</p> <p>12 A. I'm not sure I understand the question.</p> <p>13 Q. What exactly is a wallet installer? Is that</p> <p>14 how you download your wallet? You install it -- you</p> <p>15 download it and somehow install it into a computer?</p> <p>16 A. Yes, there's a download. You install it onto</p> <p>17 your computer.</p> <p>18 Q. So tell me about -- you were talking about,</p> <p>19 with Sachin's assistance, downloading your wallet</p> <p>20 because you had coins; correct?</p> <p>21 A. I do have coins.</p> <p>22 Q. You still have them?</p> <p>23 A. I still have them.</p> <p>24 Q. What's the process? Walk me through the</p> <p>25 process of downloading the Aten Coin wallet.</p>	<p>1 wallet, as far as you know?</p> <p>2 A. Yeah. The general thought was if you didn't</p> <p>3 get the coins, you get your money back so --</p> <p>4 Q. Now, you mentioned third parties. Weren't</p> <p>5 there always third party companies that did the ID</p> <p>6 verification?</p> <p>7 A. For Aten Coin?</p> <p>8 Q. Yeah. I mean, this is -- isn't part of this</p> <p>9 downloading into the wallet, getting coins into the</p> <p>10 wallet, isn't that part of that ID verification?</p> <p>11 A. Yes. The whole premise of Aten Coin having</p> <p>12 that was that it would be verified.</p> <p>13 Q. Right. And weren't there always third</p> <p>14 parties who were participating -- may have been</p> <p>15 different third parties, but third parties that were --</p> <p>16 that were involved in the ID verification?</p> <p>17 A. Well, yes and no.</p> <p>18 Q. Start with the "yes" part.</p> <p>19 A. "Yes" part was Sachin would have been the</p> <p>20 only one verifying. And that process was very, very</p> <p>21 slow. And Sachin made comments that it's taking way</p> <p>22 too long to verify. And so Marcus tried to get third</p> <p>23 parties involved. So, yes, in the fact that Sachin is</p> <p>24 a third party, but he's also NAC so --</p> <p>25 Q. Sorry. Go ahead.</p>

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<p>1 A. -- reliability of NAC because Sachin is an</p> <p>2 employee. Isn't that why you get a third party</p> <p>3 involved?</p> <p>4 Q. Right. And there were third parties that</p> <p>5 were -- in fact, you actually -- you actually worked</p> <p>6 with Marcus to try and recruit or get some other third</p> <p>7 party providers; correct?</p> <p>8 A. No.</p> <p>9 Q. Well, was there an effort to get third-party</p> <p>10 providers? I think you already said there was?</p> <p>11 A. Yes, but, again, that wasn't in my scope of</p> <p>12 work. Marcus let me listen in to one or two calls of</p> <p>13 third-party verifiers, but --</p> <p>14 Q. Isn't it true that NAC never built -- it</p> <p>15 didn't have its own verification technology at that</p> <p>16 point? Didn't it use someone else's verification</p> <p>17 technology?</p> <p>18 A. I'm not sure.</p> <p>19 Q. I don't know if you ever found -- did you</p> <p>20 ever find Exhibit 2, which is the one that begins at</p> <p>21 0099 and goes through 0109?</p> <p>22 A. I did not.</p> <p>23 Q. If you could try to find page 0109, either on</p> <p>24 your screen or on paper in Exhibit 2.</p> <p>25 A. I think I found the page.</p>	<p>1 time for tech support to download the wallet and then</p> <p>2 tech support will help you with your credentials,</p> <p>3 downloading the wallet, and help generate your first</p> <p>4 wallet address.</p> <p>5 That's option 1?</p> <p>6 A. I see that.</p> <p>7 Q. Okay. Did you use that process when you were</p> <p>8 describing your interaction with Sachin on downloading</p> <p>9 a wallet or did you do something else?</p> <p>10 A. You mean -- can you repeat that? My</p> <p>11 conversation with Sachin?</p> <p>12 Q. No. You said -- well, let me just ask it</p> <p>13 this way. Did you use, when you downloaded your</p> <p>14 wallet, option 1 or option 2 on this sheet?</p> <p>15 A. When I downloaded my wallet, I would call the</p> <p>16 office, which would have been option 1., because option</p> <p>17 2 wasn't developed yet.</p> <p>18 Q. So you downloaded your wallet prior to the</p> <p>19 time that this team, management team packet, was</p> <p>20 completed?</p> <p>21 A. That is correct.</p> <p>22 Q. At some point after that, between that time,</p> <p>23 the time you downloaded your coins and the time of the</p> <p>24 conference, option 2 became available as described on</p> <p>25 this page; correct?</p>
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<p>1 Q. 0109. It says at the top, "How to download</p> <p>2 an Aten Coin wallet."</p> <p>3 You see that?</p> <p>4 A. Yes, I see it now.</p> <p>5 Q. Okay. So this is part of a package that had</p> <p>6 the management team bios in it. In fact, the footer on</p> <p>7 this page says at the bottom "management team" so it's</p> <p>8 clearly part of the package; right?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember this being part of the</p> <p>11 package?</p> <p>12 A. It was part of the package at the conference.</p> <p>13 Q. And you actually handed out the management</p> <p>14 team packet, including this part of it, at your</p> <p>15 conference, your sales conference, in Alberta; correct?</p> <p>16 A. Yes, we did.</p> <p>17 Q. Okay. Did you field questions about this</p> <p>18 "How to download an Aten Coin wallet" or did people not</p> <p>19 get to that point of asking those questions?</p> <p>20 A. I'm sure we had some questions on how to</p> <p>21 download a wallet. All the real technical stuff I</p> <p>22 would direct more to Sachin.</p> <p>23 Q. So in this document it gives two options for</p> <p>24 downloading a wallet; correct? It says, option 1 you</p> <p>25 call the Las Vegas office and request to schedule a</p>	<p>1 A. Option 2 became available, yeah, just before</p> <p>2 the conference.</p> <p>3 Q. Okay. And option 2 goes through some 12</p> <p>4 steps; right?</p> <p>5 A. I see that.</p> <p>6 Q. Okay. The third step is that the person read</p> <p>7 terms and conditions and accept those to go on; right?</p> <p>8 A. I see that.</p> <p>9 Q. Okay. And then there's a whole -- the next,</p> <p>10 step 4, there's a verification email that's actually</p> <p>11 sent back to the customer who is trying to download the</p> <p>12 wallet; right?</p> <p>13 A. That's correct.</p> <p>14 Q. And then 4 says, "Click on the account</p> <p>15 profile verification tab on the left-hand side --</p> <p>16 sorry. That's 5. And 6 is complete the verification</p> <p>17 process.</p> <p>18 So at some point, the person who is on this</p> <p>19 has to complete a verification process; right?</p> <p>20 A. That is correct.</p> <p>21 Q. Do you know what the process entailed?</p> <p>22 A. The process, I believe, had to be a picture</p> <p>23 of the person with some sort of ID in the picture with</p> <p>24 the date.</p> <p>25 Q. Okay. Anything else that you recall?</p>

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<p>1 Anything else you recall?</p> <p>2 A. Don't really recall much else. I know that</p> <p>3 Sachin was involved to -- he was asked to verify.</p> <p>4 That's about all I can really say, I guess.</p> <p>5 Q. Let me go back for a second to the</p> <p>6 authentication, the ID authentication.</p> <p>7 Do you recall a company called Authentic ID?</p> <p>8 A. Authentic ID sounds familiar.</p> <p>9 Q. Is that a company that you interviewed or</p> <p>10 considered for that role of outside identification?</p> <p>11 A. No, I was never part of recruiting anything,</p> <p>12 any of that verification process.</p> <p>13 Q. Did you discuss -- well, how about a name</p> <p>14 called Junio, J-U-N-I-O?</p> <p>15 A. No clue what that is.</p> <p>16 Q. Couple more things about this packet and then</p> <p>17 we'll take a break. It also goes on to the next page</p> <p>18 to talk about how you purchase Aten coins; right?</p> <p>19 A. On the next page, you said?</p> <p>20 Q. Correct, page 0110.</p> <p>21 A. I see that.</p> <p>22 Q. Okay. And this packet, as I think you</p> <p>23 indicated, the packet included bios and how-to</p> <p>24 instructions on the wallet and how to purchase coins.</p> <p>25 You said, I think, this was presented maybe other</p>	<p>1 completion of the verification process. Just to make</p> <p>2 sure we're clear on the record, Sachin's role in</p> <p>3 option 1, which is what you utilized at the time that</p> <p>4 you downloaded your wallet, was to guide you through</p> <p>5 the process, essentially, of downloading the wallet;</p> <p>6 right?</p> <p>7 A. I believe so.</p> <p>8 Q. That's what you recall?</p> <p>9 A. That's what I recall.</p> <p>10 Q. And when option 2 came into being, this is</p> <p>11 the one that's part of the management team packet we</p> <p>12 looked at and was presented to the folks in Edmonton,</p> <p>13 did you have -- Sachin's role at that point was if</p> <p>14 someone did call him, again, was just to help them get</p> <p>15 through the verification process and one of these other</p> <p>16 processes on this list; right?</p> <p>17 A. Sachin's role, as far as I understood, was to</p> <p>18 make sure it was seamless. So if there was an issue,</p> <p>19 they would go to Sachin.</p> <p>20 Q. Now, as far as the verification process, you</p> <p>21 said you still have a wallet; right?</p> <p>22 A. I do.</p> <p>23 Q. So you would anticipate or know that NAC</p> <p>24 still has your biometric data, your ID verification</p> <p>25 data; right?</p>
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<p>1 places, but certainly at the Calgary meeting,</p> <p>2 conference?</p> <p>3 A. Can you repeat the question.</p> <p>4 Q. This packet of material, the management team</p> <p>5 packet we've been looking at, it was presented to</p> <p>6 potential buyers at the Calgary conference; correct?</p> <p>7 A. Well, those who attended, we gave them the</p> <p>8 packet. So they would have read it. It wasn't in</p> <p>9 Calgary. It was Edmonton.</p> <p>10 Q. Edmonton. I apologize. I know that's a</p> <p>11 thing.</p> <p>12 And you actually paid to have this printed up</p> <p>13 there in Edmonton; right?</p> <p>14 A. Yes, I paid for the printing.</p> <p>15 MR. OLSEN: Let's take a break. It's time</p> <p>16 for a break.</p> <p>17 MR. KNECHT: Sounds good.</p> <p>18 MR. OLSEN: Just five -- let's call it 10</p> <p>19 minutes, actually.</p> <p>20 MR. KNECHT: Okay.</p> <p>21 (Whereupon, a recess was taken.)</p> <p>22 BY MR. OLSEN:</p> <p>23 Q. Let's get back to where we were. I want to</p> <p>24 ask you, Mr. Jodoin, a couple more questions about item</p> <p>25 6 we looked at, the wallet download process, the</p>	<p>1 A. Essentially, yes.</p> <p>2 Q. Okay. That would be your expectation. And</p> <p>3 because you know they gathered it and there's no reason</p> <p>4 if you still have a wallet, they wouldn't still have</p> <p>5 it; right?</p> <p>6 A. I guess.</p> <p>7 Q. Right? Yes?</p> <p>8 A. I said, I guess.</p> <p>9 Q. It's not really a guess. You were a COO and</p> <p>10 a coin holder. You know that if you had a wallet and</p> <p>11 they had your ID verification, they would still have</p> <p>12 it? That would be part of the deal; right?</p> <p>13 MR. KNECHT: Objection to form.</p> <p>14 BY MR. OLSEN:</p> <p>15 Q. You can answer the question.</p> <p>16 A. You're asking me two different timeframes.</p> <p>17 So at the time this was formatted, which was 2015-2016,</p> <p>18 I had my wallet a year or so earlier.</p> <p>19 Q. Okay. When did you get your wallet?</p> <p>20 A. I don't remember. A year, maybe a year and a</p> <p>21 bit before, 2014.</p> <p>22 Q. Okay. So you were an early adopter. But</p> <p>23 your understanding was then, and as the COO you</p> <p>24 presented to other people, that there was a</p> <p>25 verification process and there was data. You</p>

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<p>1 understood there was data that was collected?</p> <p>2 A. I did understand that, yes.</p> <p>3 Q. Okay. And, again, the expectation would be</p> <p>4 for someone who still has a wallet, the company would</p> <p>5 still have the data?</p> <p>6 A. Absolutely.</p> <p>7 Q. Okay. And the data -- I mentioned the</p> <p>8 company Junio before. The data was also with the</p> <p>9 verification company, which happens to be Junio. You</p> <p>10 don't remember the name, you said, but with the</p> <p>11 verification company; correct?</p> <p>12 A. I wouldn't know.</p> <p>13 Q. You wouldn't know -- are you saying you</p> <p>14 didn't know whether or not there was a verification</p> <p>15 company?</p> <p>16 A. I'm saying I wouldn't know if they would hold</p> <p>17 that information or if they would just verify the</p> <p>18 information is true what is presented. I wouldn't know</p> <p>19 if they hold information.</p> <p>20 Q. So you know there was a company. You don't</p> <p>21 know that it was Junio. You know they received the</p> <p>22 information as part of the verification process, but</p> <p>23 you don't know whether they retained it after that?</p> <p>24 A. That's correct.</p> <p>25 Q. It is the case, isn't it, that the two</p>	<p>1 said you didn't recall participating in the process of</p> <p>2 selecting a new company?</p> <p>3 A. I was involved with Marcus in the</p> <p>4 conversation that he allowed me to participate in, and</p> <p>5 that's pretty much it.</p> <p>6 Q. Okay. I had that wrong. He participated in</p> <p>7 a conversation with a third party vendor of ID</p> <p>8 verification, but you didn't run it or contact them; is</p> <p>9 that what you're saying?</p> <p>10 A. That's exactly what I'm saying.</p> <p>11 Q. Okay. And you don't recall the name of those</p> <p>12 companies?</p> <p>13 A. Correct.</p> <p>14 Q. Did you know that the contract between NAC</p> <p>15 and Junio for third-party verification was entered into</p> <p>16 probably mid-2015?</p> <p>17 A. No, I didn't know.</p> <p>18 Q. Okay. You're not saying that isn't true, you</p> <p>19 just didn't know that?</p> <p>20 A. That is correct.</p> <p>21 Q. Okay. All right. Have you come across the</p> <p>22 name Junio in any other context? I know it's a</p> <p>23 publicly traded company. I think it's affiliated with</p> <p>24 a former Facebook person, in fact, who owns the</p> <p>25 company. It's a big company?</p>
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<p>1 people -- say the two companies that have access to</p> <p>2 information collected by the ID verification company</p> <p>3 would be NAC and then the company that gathered the</p> <p>4 information; right?</p> <p>5 A. I wouldn't know.</p> <p>6 Q. You wouldn't know. In fact, Mr. Andrade</p> <p>7 showed you how to log on and access the information as</p> <p>8 COO of the company, access ID information, verification</p> <p>9 information, that had been collected on all coin</p> <p>10 holders; correct?</p> <p>11 A. Well, I know that Marcus and NAC had the</p> <p>12 information.</p> <p>13 Q. And you logged on or watched him log on to</p> <p>14 show you that; correct?</p> <p>15 A. Yes, he logged on, yes.</p> <p>16 Q. Okay. And you're just saying you don't know</p> <p>17 whether Junio or the company, the independent ID</p> <p>18 verification company, had that -- had access to that</p> <p>19 same information?</p> <p>20 A. Correct. I wouldn't know.</p> <p>21 Q. Okay. And I know you didn't recall the name</p> <p>22 Junio, but do you recall speaking with anyone at the</p> <p>23 outside independent ID verification company?</p> <p>24 A. No, I don't recall.</p> <p>25 Q. And then I asked you before, and I think you</p>	<p>1 A. I don't -- it doesn't sound familiar to me at</p> <p>2 all.</p> <p>3 Q. Okay. Let me take a step back before we go</p> <p>4 forward on something. How much money did you raise</p> <p>5 through these people that you sold coins to in</p> <p>6 Edmonton? How much money was raised?</p> <p>7 A. I'm not sure how much money totally was</p> <p>8 raised. I only know what sales we got.</p> <p>9 Q. Sales you had was about a hundred thousand?</p> <p>10 A. I thought they were a hundred thousand, but I</p> <p>11 think these are a little less. So, yeah, somewhere</p> <p>12 around there.</p> <p>13 Q. Okay. Now, you had indicated that you</p> <p>14 thought you could generate a million or two in sales at</p> <p>15 that conference; correct?</p> <p>16 A. Absolutely not.</p> <p>17 Q. What was your projection?</p> <p>18 A. I didn't have a projection. Marco Diadamo</p> <p>19 was the one who said he could easily raise \$2 million</p> <p>20 because of all the past investors that were going to be</p> <p>21 invited.</p> <p>22 Q. And so you weren't disappointed or happy, one</p> <p>23 way or another, because you didn't have an expectation</p> <p>24 about how much would be raised at that conference?</p> <p>25 A. I was slightly disappointed, but I knew that</p>

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<p>1 it was rather optimistic to have that high of an</p> <p>2 expectation. I was very happy many people came up to</p> <p>3 the conference. So I appreciated the support.</p> <p>4 Q. So you never wrote down a projection or what</p> <p>5 you estimated you could net from that conference, the</p> <p>6 company?</p> <p>7 A. There weren't any projections on that.</p> <p>8 Q. Let me ask you, you'd mentioned Agnieszka</p> <p>9 Cenzartowicz, Aga. She's in this same document I</p> <p>10 believe on page 0104. And my understanding is she's a</p> <p>11 lawyer and she was -- actually went to law school in</p> <p>12 Chicago, I believe; is that right?</p> <p>13 A. That's what I'm told.</p> <p>14 Q. You knew her; right?</p> <p>15 A. I met her several times.</p> <p>16 Q. Okay. You didn't hire her?</p> <p>17 A. I did not.</p> <p>18 Q. You worked with her though?</p> <p>19 A. She was already part of the team. And I</p> <p>20 believe in one of the times that we were in Poland, we</p> <p>21 as a group worked towards getting her away from working</p> <p>22 in her business and being the legal lawyer for NAC. I</p> <p>23 was involved with that.</p> <p>24 Q. Okay. Did she sign a contract to do that?</p> <p>25 A. I believe she did.</p>	<p>1 person when you presented that contract; right?</p> <p>2 A. At the time, I had no reason to believe she</p> <p>3 was.</p> <p>4 Q. Dishonest is the question?</p> <p>5 A. Dishonest.</p> <p>6 Q. Whether she was committing any kind of fraud</p> <p>7 on you; right?</p> <p>8 A. Right.</p> <p>9 Q. You said, "at the time." Do you have a</p> <p>10 different view today?</p> <p>11 A. I haven't really thought much about it.</p> <p>12 Q. Do you have any reason to think she's a</p> <p>13 dishonest person? I'll ask you again now that you've</p> <p>14 been thinking.</p> <p>15 A. I don't really have a reason to think she's</p> <p>16 dishonest, not at the moment.</p> <p>17 Q. Okay. Are you going to do some more digging?</p> <p>18 If not at the moment, what are you going to consider or</p> <p>19 look at to determine whether or not you would change</p> <p>20 your opinion about her honesty?</p> <p>21 MR. KNECHT: Object to form.</p> <p>22 THE WITNESS: You just asked a question that</p> <p>23 I hadn't thought of.</p> <p>24 BY MR. OLSEN:</p> <p>25 Q. You don't think, based on your experience</p>
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<p>1 Q. Okay. Did you ask her to sign that contract?</p> <p>2 A. Marcus asked me.</p> <p>3 Q. And you presented a contract to her and she</p> <p>4 signed it?</p> <p>5 A. Maybe we worked on the contract together and</p> <p>6 Marcus approved it, and then she was ready to sign it.</p> <p>7 Q. Okay. And you presented it to her was my</p> <p>8 question. You presented it to her for signing after it</p> <p>9 was worked on?</p> <p>10 A. Yes, I was asked to present it.</p> <p>11 Q. You don't consider her, Aga, to be a</p> <p>12 dishonest person; right?</p> <p>13 A. I have no reason to believe she is or isn't.</p> <p>14 Q. Okay. You have no reason to believe -- you</p> <p>15 have no opinion on it?</p> <p>16 A. I have no opinion on it.</p> <p>17 Q. You worked with her; right? She did work for</p> <p>18 a company at which you were the COO; correct?</p> <p>19 A. That is correct.</p> <p>20 Q. You presented a contract to her, which you</p> <p>21 may have worked out with Marcus, but you presented it</p> <p>22 to her after a time she had been associated with the</p> <p>23 company already; correct?</p> <p>24 A. Agreed.</p> <p>25 Q. You did not believe she was a dishonest</p>	<p>1 with Aga, that she's a dishonest person; correct?</p> <p>2 A. I don't think she would be -- reason to</p> <p>3 believe or otherwise.</p> <p>4 Q. How about -- what's her husband's name again?</p> <p>5 A. Igor.</p> <p>6 Q. Igor. What was his -- what was his job,</p> <p>7 association with the company?</p> <p>8 A. I believe he was the person involved with</p> <p>9 Aten Pay, which was a spin-off for Aten Coin, to be</p> <p>10 able to do the -- perform the transactions.</p> <p>11 Q. What happened with Aten Pay? Was it</p> <p>12 developed?</p> <p>13 A. I'm not sure where it's at or what all</p> <p>14 happened to it.</p> <p>15 Q. Do you have any discussion about Aten Pay</p> <p>16 with anyone else at NAC during your tenure at COO?</p> <p>17 A. We had some discussions about Aten Pay.</p> <p>18 Q. And what were those discussions generally?</p> <p>19 A. Well, the discussions were how to utilize</p> <p>20 Aten Pay, how to get the coins to be utilized.</p> <p>21 Q. And Igor was working on that process;</p> <p>22 correct?</p> <p>23 A. I assume so.</p> <p>24 Q. Were you giving him any direction?</p> <p>25 A. No.</p>

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<p>1 Q. He also has an American law degree, doesn't</p> <p>2 he?</p> <p>3 A. I don't know.</p> <p>4 Q. That's what the -- that's what the team</p> <p>5 management brochure that you paid for says. I just was</p> <p>6 wondering if you'd know.</p> <p>7 You don't have any reason to think that</p> <p>8 either he or his wife are dishonest or frauds in any</p> <p>9 way?</p> <p>10 A. No reason.</p> <p>11 MR. KNECHT: Objection to form.</p> <p>12 BY MR. OLSEN:</p> <p>13 Q. I could break it into two questions, but you</p> <p>14 understood. You don't have any reason to believe</p> <p>15 either of those two things; right, that they were</p> <p>16 frauds or dishonest?</p> <p>17 A. At the time, no.</p> <p>18 Q. And you don't have any -- at this time, as</p> <p>19 you sit here today, you don't have any reason to say</p> <p>20 they're dishonest or frauds; is that correct?</p> <p>21 A. I don't know. I don't know where you're</p> <p>22 going with this. I don't understand.</p> <p>23 Q. It doesn't matter where I'm going. I'm</p> <p>24 asking you the question. You said before you didn't</p> <p>25 have a reason to think they were dishonest. I'm asking</p>	<p>1 A. At that time, I was told no one had sold</p> <p>2 currency in Florida. And I had no idea if any other</p> <p>3 coins were sold in Florida after that.</p> <p>4 Q. It wasn't planned to sell coins in Florida</p> <p>5 based on your participation and discussions at that</p> <p>6 point with Marcus or with Fahy; correct?</p> <p>7 A. No. It was concerning. Marco Diadamo was</p> <p>8 from Florida.</p> <p>9 Q. Okay. But there was no plan to disregard the</p> <p>10 prohibition of the state of Florida at that point?</p> <p>11 A. No, there was no plan to disregard it.</p> <p>12 Q. Let me ask you -- we didn't really talk about</p> <p>13 Mr. Mawhinney. I'm not sure how much we're going to</p> <p>14 talk about him today. Do you know who Mr. Mawhinney</p> <p>15 is? Do you know who I'm referring to?</p> <p>16 A. James Mawhinney, Tandem Capital. I'm aware</p> <p>17 of James.</p> <p>18 Q. Did you ever record a conversation with</p> <p>19 James?</p> <p>20 A. I believe I recorded a conversation when we</p> <p>21 were in California.</p> <p>22 Q. A live conversation or a telephone</p> <p>23 conversation?</p> <p>24 A. A phone conversation.</p> <p>25 Q. What was the subject matter of that</p>
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<p>1 you today do you have a reason to think they're</p> <p>2 dishonest?</p> <p>3 A. I don't think of anything dishonest or not.</p> <p>4 Q. You can't think of anything -- okay.</p> <p>5 Do you know who John Fahy is?</p> <p>6 A. I'm aware John Fahy is a lawyer for NAC to</p> <p>7 help navigate through the digital currency stuff. He</p> <p>8 was an SEC lawyer before NAC.</p> <p>9 Q. Right. But his specialty is SEC, Securities</p> <p>10 & Exchange Commission, work; correct?</p> <p>11 A. That was my understanding.</p> <p>12 Q. And you spoke to Mr. Fahy?</p> <p>13 A. I was on the phone with Mr. Fahy with</p> <p>14 Marcus Andrade.</p> <p>15 Q. How many times?</p> <p>16 A. Once, maybe twice.</p> <p>17 Q. And what was the nature of those calls? You</p> <p>18 don't have to tell me the specifics of what was</p> <p>19 discussed. What was the nature of those calls?</p> <p>20 A. One of the calls was about the Florida state</p> <p>21 disallowed the sales of digital currency, and I believe</p> <p>22 Marcus wanted to get ahold of John Fahy in regard to</p> <p>23 what their next steps were.</p> <p>24 Q. After that -- after that did anyone on behalf</p> <p>25 of NAC sell Aten coins in Florida or attempt to?</p>	<p>1 conversation generally?</p> <p>2 A. I think James wanted to discuss the refund</p> <p>3 issue and try to continue recruiting us to be with</p> <p>4 Tandem Capital in general. I think Marcus and I were</p> <p>5 trying to get him to commit to refunding the money and</p> <p>6 then we will discuss other options after that. In</p> <p>7 general, that's what I remember.</p> <p>8 Q. And why is it that you wanted him to refund</p> <p>9 the money that had been paid to him and his company?</p> <p>10 A. Because we refused his services. NAC refused</p> <p>11 his services through direction through Marcus and Aga.</p> <p>12 And I just felt that he wasn't asking the questions</p> <p>13 right -- answering the questions right.</p> <p>14 Q. Okay. And did he refund that money?</p> <p>15 A. I don't know.</p> <p>16 Q. Not during your tenure?</p> <p>17 A. Correct.</p> <p>18 Q. How much money was it again, roughly?</p> <p>19 A. I vaguely remember 50 grand. I don't know.</p> <p>20 Something like that.</p> <p>21 Q. When you taped that conversation, how did you</p> <p>22 tape it? Did you tape it on a tape-recorder? On your</p> <p>23 phone? How did that record?</p> <p>24 A. It was a phone recording.</p> <p>25 Q. Okay. Do you still have that phone</p>

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<p>1 recording?</p> <p>2 A. I don't.</p> <p>3 Q. When did you dispose of, lose -- when did</p> <p>4 that disappear?</p> <p>5 A. It was on my previous two or three other</p> <p>6 phones, and it just got destroyed. I never even tried</p> <p>7 to recover it.</p> <p>8 Q. When did you get rid of that phone? Do you</p> <p>9 remember what year?</p> <p>10 A. I'm not sure.</p> <p>11 Q. Roughly?</p> <p>12 A. I can't remember. It was five years ago.</p> <p>13 Q. Bear with me one second. Would you take a</p> <p>14 look at Exhibit 5, which is a document beginning at</p> <p>15 0504. Do you have that printed out or available on</p> <p>16 your computer?</p> <p>17 A. Just give me a moment.</p> <p>18 MR. KNECHT: What number was that, Counsel?</p> <p>19 MR. OLSEN: Well, the exhibit starts -- it's</p> <p>20 Exhibit 5. It starts at 0504.</p> <p>21 MR. KNECHT: Okay.</p> <p>22 MR. OLSEN: I'm going to delve a little</p> <p>23 deeper into that document.</p> <p>24 THE WITNESS: I have it.</p> <p>25</p>	<p>1 executed purchase agreement to you, and then you faxed</p> <p>2 it to the office?</p> <p>3 A. Yeah, I vaguely remember this, but I don't</p> <p>4 think he signed it. And so -- or there was an issue</p> <p>5 with payment or something. But, anyway, I sent this to</p> <p>6 Marco Diadamo to close this one.</p> <p>7 Q. Okay. So it looks like there was an</p> <p>8 agreement. You seem to think it was completed but</p> <p>9 ended up it wasn't completed and you tasked Marc with</p> <p>10 following up?</p> <p>11 A. He was a potential buyer and I didn't think I</p> <p>12 could close it. So I asked Marco to get involved.</p> <p>13 Q. That doesn't make sense. If you said, I</p> <p>14 faxed the purchase agreement to the office, you would</p> <p>15 have only faxed the purchase agreement to the office if</p> <p>16 it was executed; right?</p> <p>17 A. No.</p> <p>18 Q. I'm trying to use logic. And logic would</p> <p>19 dictate you wouldn't send a blank form to the office</p> <p>20 for them to follow-up with Rick; right?</p> <p>21 A. I already gave you my answer.</p> <p>22 Q. You appreciate that, but that makes no sense</p> <p>23 based upon what you wrote on the 16th of February,</p> <p>24 2016.</p> <p>25 A. I can understand why you're questioning it,</p>
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<p>1 BY MR. OLSEN:</p> <p>2 Q. So you do have it; okay. If you go to, a few</p> <p>3 pages into that, to 0517.</p> <p>4 A. Okay. I got it.</p> <p>5 Q. Okay. So this is an email from you dated</p> <p>6 2/16/2016 to surecan.rick@shaw.ca. Do you see that?</p> <p>7 A. Yes, I see that.</p> <p>8 Q. And who is surecan.rick?</p> <p>9 A. Rick is Rick Stevens, the one I mentioned</p> <p>10 earlier.</p> <p>11 Q. Okay. Now, you said with regard to Rick</p> <p>12 Stevens that you had presented him with a purchase</p> <p>13 agreement. And I think this is the person that you</p> <p>14 said you sent it to him and then he ended up closing</p> <p>15 the deal with Diadamo, I think is what you said. But</p> <p>16 I'm reading this email and it says, "Hi, Rick. I have</p> <p>17 faxed the purchase agreement to the office."</p> <p>18 So he got the purchase agreement to you; is</p> <p>19 that correct?</p> <p>20 A. Sorry. I was just reading that. Can you</p> <p>21 repeat the question.</p> <p>22 Q. You say, "Hi, Rick. I have faxed the</p> <p>23 purchase agreement to the office. The office will be</p> <p>24 contacting you in the next day or so."</p> <p>25 So from this, it appears that he got an</p>	<p>1 but I think if you look into the details, you'll see</p> <p>2 that it wasn't executed.</p> <p>3 Q. It's not attached here, but could you</p> <p>4 describe what the attachment entitled "Letter Next</p> <p>5 Steps," what that document is?</p> <p>6 A. Probably how to call the office and get ahold</p> <p>7 of a wallet.</p> <p>8 Q. Right. That's a form document, isn't it?</p> <p>9 A. Yes, it appears to be, yes.</p> <p>10 Q. Right. It's not a letter you wrote. It</p> <p>11 looks like it's a form that NAC generated, would send</p> <p>12 to people who had made purchases; correct?</p> <p>13 A. Yes, it does.</p> <p>14 Q. Okay. So it would be surprising, again,</p> <p>15 wouldn't it, if you sent to him, to Rick, that document</p> <p>16 and you did not have a signed purchase agreement,</p> <p>17 wouldn't it?</p> <p>18 A. Again, I can only tell you what I remember.</p> <p>19 I don't remember it being executed and I needed help so</p> <p>20 I sent it to the office to get help.</p> <p>21 Q. The next letter, again, I don't have a copy</p> <p>22 here, but that letter did include, did it not,</p> <p>23 something along the lines of what we looked at in the</p> <p>24 "How to go download your Aten Coin wallet," paragraph</p> <p>25 6, which indicated there was a verification process;</p>

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1 right? That was included in that next steps letter?

2 A. Perhaps.

3 Q. You don't recall?

4 A. I would assume so.

5 Q. Bear with me. It's always a bit easier

6 looking through the paper copy than it is the digital

7 one.

8 In this same exhibit, page 0511, it's an

9 email dated February 23rd, 2016 from you to Agnieszka

10 Bilinska and CC'd to Marcus. Do you see that?

11 A. I do see it.

12 Q. Okay. So this looks like -- it appears to

13 be -- the attachment says "How to purchase Aten coins."

14 It appears to be referring to the page out of the team

15 management brochure that you handed out to folks in

16 Edmonton. Actually, it says, it's included how to

17 purchase Aten coins. We looked at that before.

18 There's instructions on how one purchases -- it appears

19 to be referring to that same document.

20 A. Okay.

21 Q. And that was -- when did you say the

22 conference was in Alberta?

23 A. I think it was in January.

24 Q. Okay. So it was before this email was sent?

25 A. Before this.

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1 Q. Were sending changes to. Because, actually,

2 the email says, "Hi, team. Marcus, please review and

3 make comments. Also add details in the red items

4 below."

5 Were you working on modifying the "How to

6 purchase Aten coins" informational at that point?

7 A. I believe this was just an informational to

8 give back to Susan Waters, which was at Kathy Ireland.

9 Q. Okay. And, for the record, Kathy Ireland,

10 that was a -- you participated in a presentation, video

11 presentation, hosted by, I guess we'll say, Kathy

12 Ireland that we've all heard about; correct?

13 A. I did participate.

14 Q. And you were the spokesperson for NAC in that

15 video; right?

16 A. I was one of three people speaking for NAC.

17 Q. Who else spoke?

18 A. Marco Diadamo and Marcus Andrade.

19 Q. And, I'm sorry, you said -- that took

20 place -- that takes place in March or February?

21 A. What, the Kathy Ireland?

22 Q. Kathy Ireland.

23 A. Oh, that was back in December.

24 Q. Okay. Well, then this February 23rd email

25 can't be referring to the Kathy Ireland presentation;

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1 right?

2 A. Yes, it is. It took a while for Kathy

3 Ireland's production team to get us a copy of the

4 video. And so before the Alberta conference and after

5 the Alberta conference, we were still working with

6 their production team to edit and finalize the final

7 copy.

8 Q. Okay. So this -- this document was, you're

9 saying, was going to be part of that final product and

10 Kathy Ireland video?

11 A. That's what I assume.

12 Q. Do you recall -- do you recall the video --

13 and there is a "How to purchase Aten coins" in that

14 video; correct?

15 A. I believe so. I don't remember offhand. I

16 believe that was all part of it, trying to complete the

17 video with all the information we had.

18 Q. Who is Mike Barter, B-A-R-T-E-R?

19 A. Mike Barter is a gentleman that lives in this

20 area.

21 Q. Okay. Was he a coin buyer?

22 A. I believe he was.

23 Q. How did he get a purchase agreement?

24 A. I believe I would have sent him one.

25 Q. Okay. Did he complete the transaction? Did

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1 he sign it?

2 A. I believe he did.

3 Q. Did you speak to him about the -- what did

4 you say to Mike Barter to get him to sign a purchase

5 agreement?

6 A. I wasn't in direct contact with Michael

7 Barter.

8 Q. He's a guy in your area and he was a coin

9 purchaser. You had no direct contact with him?

10 A. He attended the conference. And I don't

11 remember speaking with him at the conference. And he

12 was probably talking to Brandi or the staff to just

13 purchase coins. I never spoke to him directly.

14 Q. So he might have spoken to Brandi or someone

15 else, but you didn't speak with him?

16 A. That's correct.

17 Q. We'll come back to Mike Barter, but in the

18 same exhibit, Exhibit 5, and this is at page 0520,

19 could you look for that for me, it says, "How to

20 purchase Aten coins online."

21 A. I see it.

22 Q. Okay. Is this the -- this is several pages.

23 It actually goes from page 0520 all the way through

24 0525; correct? Is that correct?

25 A. Sorry. I'm still looking. Can you repeat

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<p>1 the question again, please.</p> <p>2 Q. This "How to purchase Aten coins online," I</p> <p>3 know we looked at the bullet point document before, but</p> <p>4 this is more of a glossy presentation on how you do</p> <p>5 that. You were involved in putting this together;</p> <p>6 right?</p> <p>7 A. I was involved with putting this together,</p> <p>8 yeah.</p> <p>9 Q. And was this what was made part of the</p> <p>10 Kathy Ireland video or was it simpler?</p> <p>11 A. I actually don't recall. I know she got one</p> <p>12 copy. Whether it's this one or the other one, I don't</p> <p>13 remember. But it would have been just those two forms.</p> <p>14 The other pages were not part of the coin sales for the</p> <p>15 how to download a wallet.</p> <p>16 Q. Okay. So in this document, the second page,</p> <p>17 it says, Step 1, and it has several boxes, 1 through 5,</p> <p>18 actually, through 7, 8. How was that disseminated to</p> <p>19 people, this document? Was it on the website or was it</p> <p>20 presented to people and sent to them?</p> <p>21 A. I know that it was on the website for a</p> <p>22 while. I don't know if it had changed. And I can't</p> <p>23 remember at this time whether we distributed this one</p> <p>24 or not.</p> <p>25 Q. It might have been?</p>	<p>1 you tell me what you see on that page?</p> <p>2 A. Yes. This is a document that was sent after</p> <p>3 the meeting. And it just said "Purchasing Steps 1, 2,</p> <p>4 3 and 4."</p> <p>5 Q. When you say "the meeting," you mean the</p> <p>6 meeting in Edmonton?</p> <p>7 A. The Alberta conference.</p> <p>8 Q. And you think this is probably the document,</p> <p>9 the next steps document, that was sent to Rick Stevens</p> <p>10 or what do you think?</p> <p>11 A. It could be. I don't know. This was more of</p> <p>12 a general email to all attendants, all conference</p> <p>13 attendants.</p> <p>14 Q. Okay. And when it talks about purchasing</p> <p>15 steps in the middle of the letter, can you read what</p> <p>16 item Purchasing Step 3 says?</p> <p>17 A. Item no. 3) "Proceed with Aten Wallet</p> <p>18 installation and verification."</p> <p>19 Q. And as we saw from the document a few minutes</p> <p>20 ago, verification was sort of a roadblock. If you</p> <p>21 couldn't get verification, you couldn't move on to the</p> <p>22 next steps; correct?</p> <p>23 A. Supposed to be that way.</p> <p>24 Q. You don't have any knowledge that it wasn't</p> <p>25 that way, do you?</p>
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<p>1 A. It might have, yeah.</p> <p>2 Q. If you look on this page, page 0521, step 4,</p> <p>3 step 4 is the -- why don't you read step 4. If you can</p> <p>4 read step 4 on this page.</p> <p>5 A. It says, "Select the identity verification</p> <p>6 section. Verify your identity by following the</p> <p>7 procedures stated in that section. Be sure to have</p> <p>8 your passport or government issued ID ready and make</p> <p>9 sure that you have a webcam installed on your</p> <p>10 computer."</p> <p>11 Q. And it says -- it goes on to say, "(You will</p> <p>12 not be able to go to any other section until the</p> <p>13 identity verification section is completed.)"</p> <p>14 Right?</p> <p>15 A. Yes, it says that.</p> <p>16 Q. Okay. So it was made clear, and you haven't</p> <p>17 really said anything different, I guess, but that in</p> <p>18 order to get your wallet, you had to go through this</p> <p>19 section in which identity was verified; right?</p> <p>20 A. I agree with you.</p> <p>21 Q. And, in fact, if you didn't have a camera to</p> <p>22 take a picture of yourself on your computer, you</p> <p>23 couldn't go any further?</p> <p>24 A. That's correct.</p> <p>25 Q. And on page 0524 of this same document, can</p>	<p>1 A. I never downloaded a wallet after that so I</p> <p>2 have no knowledge of it being any different.</p> <p>3 Q. You have no knowledge of it being any</p> <p>4 different than your experience is what you're saying;</p> <p>5 correct?</p> <p>6 A. Can you repeat that.</p> <p>7 MR. OLSEN: Yeah. Looks like you froze.</p> <p>8 Maybe read that one back.</p> <p>9 (Record read as requested.)</p> <p>10 THE WITNESS: No, that's incorrect.</p> <p>11 BY MR. OLSEN:</p> <p>12 Q. What's different about your experience from</p> <p>13 this process, which says you have to go through ID</p> <p>14 verification?</p> <p>15 A. The difference was, by February, enough</p> <p>16 development on the wallet had occurred that timing for</p> <p>17 procedures and notes was supposed to be far easier and</p> <p>18 quicker.</p> <p>19 Q. Okay. You're not saying there wasn't a</p> <p>20 verification process. You're saying it was slower and</p> <p>21 more difficult until the changes were implemented in</p> <p>22 February?</p> <p>23 A. Yes, other than the February. So the changes</p> <p>24 could have been implemented before that. I would</p> <p>25 assume that come January we were starting to implement</p>

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<p>1 them, but, anyway, yes.</p> <p>2 Q. Okay. At some point, comparing your</p> <p>3 experience to the subsequent experience, there was a</p> <p>4 change in the speed and ease of verification?</p> <p>5 A. (Inaudible response.)</p> <p>6 MR. OLSEN: Could the court reporter hear</p> <p>7 that response?</p> <p>8 THE STENOGRAPHER: No.</p> <p>9 MR. OLSEN: We couldn't hear you. You</p> <p>10 started to respond to my last question. I'm going to</p> <p>11 have the court reporter read the last question back and</p> <p>12 then let you try it again.</p> <p>13 (Record read as requested.)</p> <p>14 BY MR. OLSEN:</p> <p>15 Q. Is that correct?</p> <p>16 A. That was my understanding. I never actually</p> <p>17 downloaded a wallet to confirm or deny that.</p> <p>18 Q. Oh, and one more thing about this letter we</p> <p>19 were looking at, page 0524, the next steps letter,</p> <p>20 whatever you want to call it. Whose signature appears</p> <p>21 at the bottom?</p> <p>22 A. It would have been my signature.</p> <p>23 Q. Okay. As chief operations officer?</p> <p>24 A. Yes, that's correct.</p> <p>25 Q. I'm trying to find another -- let me ask you</p>	<p>1 Q. Describe what it is -- why you feel that way</p> <p>2 about your purchase agreements looking back.</p> <p>3 A. I think the biggest thing that I would have</p> <p>4 said or been more clear on was the coin was a great</p> <p>5 idea. The coin is a great foundation. I think right</p> <p>6 now the fact that it wasn't going live was paramount to</p> <p>7 any sale that should have happened. And instead of</p> <p>8 agreements, it should have been just like any coin on</p> <p>9 the server, live on an exchange.</p> <p>10 Q. Well, did it go live at some point?</p> <p>11 A. I believe it did go live after I was gone.</p> <p>12 Q. You have the coins in your wallet so you're</p> <p>13 aware it went live at some point?</p> <p>14 A. No. You can get coins before it is exchanged</p> <p>15 live on an exchange.</p> <p>16 Q. Right. Do the coins in your wallet, once</p> <p>17 they go live, can you tell whether they've gone live</p> <p>18 from your wallet?</p> <p>19 A. I don't know.</p> <p>20 Q. You haven't looked?</p> <p>21 A. I haven't looked.</p> <p>22 Q. Wasn't the coin at the time you were with the</p> <p>23 company actually trading, I think, on the CEX Exchange,</p> <p>24 CEX, I think?</p> <p>25 A. No, it was not.</p>
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<p>1 this while I'm looking for another letter. This is</p> <p>2 still on the idea of the ID verification question. NAC</p> <p>3 would only have, well, and its third-party identifier,</p> <p>4 authentication people, would only have your biometric</p> <p>5 information if you supplied it for the ID</p> <p>6 identification or verification process for the coin;</p> <p>7 correct?</p> <p>8 A. Excuse me? I apologize. You went digital</p> <p>9 again.</p> <p>10 Q. NAC and their third-party verification</p> <p>11 company would only have your biometric information if</p> <p>12 you had supplied it as part of the ID verification</p> <p>13 process for the coin; correct?</p> <p>14 A. That's my understanding.</p> <p>15 Q. Next time we have a break, we'll have one</p> <p>16 more break probably, I need to come back and find</p> <p>17 another document. Let me ask you this about the sales</p> <p>18 that you made when you were with NAC. Did you feel</p> <p>19 that you had defrauded anybody?</p> <p>20 A. I did not.</p> <p>21 Q. Did you feel that you had been dishonest with</p> <p>22 anyone?</p> <p>23 A. I did not.</p> <p>24 Q. Do you feel that way today?</p> <p>25 A. I feel a little bit.</p>	<p>1 Q. It was not trading on any exchange?</p> <p>2 A. That's correct.</p> <p>3 Q. You're certain of that?</p> <p>4 A. It was supposed to be on the CEX Exchange.</p> <p>5 I wasn't involved in that in any way. And I think it</p> <p>6 was a mistake.</p> <p>7 Q. You think what was a mistake?</p> <p>8 A. Chose the wrong exchange, in my view.</p> <p>9 Q. How? Well, okay.</p> <p>10 Were you part of the choice of exchanges?</p> <p>11 A. Nope.</p> <p>12 Q. What would have been the right exchange?</p> <p>13 A. Probably one that was renowned and very</p> <p>14 popular, one that most currency exchanges are trading</p> <p>15 on.</p> <p>16 Q. Give me two examples.</p> <p>17 A. Hang on a second here. Oh, boy. Well,</p> <p>18 BitPath (phonetic) is on one, and they're very popular.</p> <p>19 Coinbase is another one. Kraken is probably another</p> <p>20 one you can get on, involved. Those are three very</p> <p>21 credible ones.</p> <p>22 Q. There are many, many exchanges for</p> <p>23 cryptocurrency currently; correct?</p> <p>24 A. Yes, very many.</p> <p>25 Q. And not all of those exchanges will accept a</p>

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<p>1 new currency at just any given time; right?</p> <p>2 A. I would agree with that.</p> <p>3 Q. You paid a visit to the Las Vegas office of</p> <p>4 NAC sometime in early 2016; correct?</p> <p>5 A. That's correct.</p> <p>6 Q. When was that?</p> <p>7 A. I think it was before the Alberta conference.</p> <p>8 Q. Okay. And did you have some issues or</p> <p>9 concerns after visiting the office?</p> <p>10 A. Yes, we did.</p> <p>11 Q. And what were those issues or concerns at the</p> <p>12 time?</p> <p>13 A. One of the big concerns were that the files</p> <p>14 for personal and private information were just open on</p> <p>15 a desk, not secured in a cabinet. And I think the</p> <p>16 other concern that I had was that their whole office</p> <p>17 group had access to the NAC files.</p> <p>18 Q. Okay. Let's take the first one. So you're</p> <p>19 saying you saw a file open with customer information?</p> <p>20 A. That is correct.</p> <p>21 Q. Okay. And when you say -- you're saying you</p> <p>22 thought that file should have been in a cabinet?</p> <p>23 A. What I'm saying was there were several files</p> <p>24 that the office was trying to complete the information</p> <p>25 for the CALE and the purchase agreement information.</p>	<p>1 office be far more professional, have a closed, secured</p> <p>2 server so that the other office members didn't have</p> <p>3 access to it. And that we need to deal with these --</p> <p>4 these are customers that have been customers for months</p> <p>5 and months and they were still unresolved.</p> <p>6 Q. Okay. So that would be things -- you had</p> <p>7 some policies and procedures you were looking at</p> <p>8 suggesting be changed; is that fair to say?</p> <p>9 A. We had made an observation and a request to</p> <p>10 Marcus that we need to deal with this.</p> <p>11 Q. Was there a third-party company that was</p> <p>12 responsible for doing the files in compliance?</p> <p>13 A. To my knowledge, I am unaware of another</p> <p>14 company. The office was tasked with the responsibility</p> <p>15 to complete those files.</p> <p>16 Q. Who was working in the office?</p> <p>17 A. I think Patti.</p> <p>18 Q. What's Patti's last name?</p> <p>19 A. It eludes me at this time. Patti and Barb.</p> <p>20 Q. Do you remember we looked at the quality and</p> <p>21 assurance form as part of the purchase agreement, and</p> <p>22 the same people were doing that quality and assurance</p> <p>23 form that were looking at these files you were talking</p> <p>24 about; right? They were the people at the office</p> <p>25 looking at these?</p>
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<p>1 And through the cooperation of the customer, they were</p> <p>2 still in limbo. So I would expect that you would take</p> <p>3 a file out of a drawer, you would deal with this</p> <p>4 customer information, and you would put it back in the</p> <p>5 drawer when you're done.</p> <p>6 Q. Were these files still -- are you sure all</p> <p>7 these files were done with, file or files?</p> <p>8 A. I was told that these files were out because</p> <p>9 they were still dealing with them.</p> <p>10 Q. Do you have any reason to know that's not</p> <p>11 true?</p> <p>12 A. I'm not sure I understand the question.</p> <p>13 Q. Well, was that true or false, that they were</p> <p>14 still dealing with them and that's why they were out?</p> <p>15 A. It's true. They were still dealing with</p> <p>16 them, in-completed purchase agreements.</p> <p>17 Q. Did you, as the chief operating officer,</p> <p>18 after that day instruct people or suggest they be</p> <p>19 instructed to handle security issues differently or</p> <p>20 files differently?</p> <p>21 A. Yes.</p> <p>22 Q. And was your suggestion something other than</p> <p>23 closing them when you're finished and put them in the</p> <p>24 cabinet? What were your suggestions?</p> <p>25 A. My suggestions were to Marcus to have the</p>	<p>1 A. That is correct.</p> <p>2 Q. And I think Patti, in the example we looked</p> <p>3 at of Albert Jodoin, Patti was the one who signed under</p> <p>4 your signature on the CALE form; correct?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Who did Patti work for?</p> <p>7 A. I'm not entirely sure. I know that she was</p> <p>8 hired by Marcus to work for NAC for a certain amount of</p> <p>9 hours of the week.</p> <p>10 Q. There was a Barbara that worked there as</p> <p>11 well; correct?</p> <p>12 A. That is correct.</p> <p>13 Q. And who did Barbara work for?</p> <p>14 A. Under the same premise, basically, they</p> <p>15 worked for the office manager in Vegas, and Marcus</p> <p>16 hired the office to do so many bookkeeping hours a</p> <p>17 week.</p> <p>18 Q. Okay. But they weren't NAC employees;</p> <p>19 correct? They were a third -- they were a contractor</p> <p>20 brought in -- it says here that NAC representative was</p> <p>21 Patti. Didn't say she worked for the company. So they</p> <p>22 were a contractor that worked to handle these matters;</p> <p>23 correct?</p> <p>24 A. They were hired for NAC to do bookkeeping.</p> <p>25 Q. But they were not NAC employees?</p>

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1 A. I don't know how you wouldn't think they
2 were. They did work for NAC.
3 Q. You own a business in construction. You know
4 that not everybody that works on a project is an
5 employee. They could be working for a subcontractor --
6 I mean, they bring in people.
7 Did you even bother to ask who Barbara and
8 Patti worked for?
9 A. Fair enough. I understand your point. They
10 worked for an office staff that -- or company that
11 Marcus hired. I don't know the name of the company.
12 Q. Do you know somebody named Clifton, Dida
13 Clifton, or Dida Clifton?
14 A. Sounds familiar. Not sure.
15 Q. Do you know a company called Office Squad?
16 A. Yeah.
17 Q. Pardon me?
18 A. Is Office Squad the company that Dida works
19 for that Marcus hired?
20 Q. I just asked if you know the name.
21 A. Sounds familiar.
22 Q. After the -- so after the visit to the office
23 and I guess you made some suggestions about how things
24 should be handled differently, was there also, after
25 that, some effort by the, we'll call them the Warsaw

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1 team, including Agnieszka Bilinska, to get office space
2 in Warsaw?
3 A. We were trying to get -- NAC was trying to
4 get office space in Poland back in December.
5 Q. And did that continue for a period, trying to
6 get office space or trying to get somebody to get
7 office space?
8 A. I believe it did try to continue for a bit.
9 Q. Was that still in discussion, that issue, by
10 the time you left the company?
11 A. I don't think so.
12 Q. It wasn't part of the discussion after you
13 went to the Las Vegas office; correct?
14 A. No, it wasn't.
15 Q. So after you went to the Las Vegas office,
16 there was a cessation in the idea of getting office
17 space in Warsaw?
18 A. I'm not sure I understand the question.
19 Q. Okay. Is there any connection between your
20 visit to the office and no longer looking for Warsaw
21 space?
22 A. None. No connection.
23 Q. Like a search for Warsaw space went on at
24 least for a brief time even after you were at the
25 Las Vegas office?

1 A. I don't recall.
2 Q. Who is Andrea Lefebvre?
3 A. Andrea Lefebvre is a person who lives in the
4 area. She's a friend of ours.
5 Q. Did she file a complaint with any government
6 agency against NAC or against Mr. Andrade?
7 A. I have no idea.
8 Q. She never spoke to you about that?
9 A. No, she has not spoke to me about anything.
10 Q. About something, but not about NAC?
11 A. I meant about anything about a government
12 agency or complaints.
13 Q. Or being called, contacted by, any government
14 agency?
15 A. That's correct, she never told me anything
16 about that.
17 Q. Are you aware of any of the people with whom
18 you and Brandi entered into purchase agreements, in
19 other words, you obtained the purchase agreements,
20 anyone who communicated with the
21 Alberta Securities Commission, any of those people?
22 A. I have no idea if anyone else communicated.
23 There's only one person, Tyler Hoff, who I texted the
24 ASC's number. I have no idea if he contacted them.
25 Q. How did Andrea Lefebvre get Marcus Andrade's

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1 personal phone number?
2 A. I'm not sure.
3 Q. Did you give it to her?
4 A. It's possible.
5 Q. Giving over that phone number would have --
6 well, did you give it to her with Mr. Andrade's
7 permission?
8 A. I did not specifically ask Marcus if Andrea
9 could get ahold of him. But it was well understood
10 that I called Marcus on his cell phone way before, way
11 before, I even became involved with NAC on his personal
12 cell phone.
13 Q. Except you had a nondisclosure agreement by
14 the time you were the COO and giving numbers to
15 Ms. Lefebvre for Mr. Andrade; correct?
16 A. Sensitive information is not a phone number.
17 Q. That's your legal opinion?
18 MR. KNECHT: Objection. Form.
19 BY MR. OLSEN:
20 Q. You don't know whether it is or it isn't;
21 right?
22 A. I don't know whether it is or it isn't.
23 Q. We talked for a minute about the
24 Kathy Ireland video. I don't know. How do you
25 describe that? Was it an infomercial? What was it?

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<p>1 A. I guess it's an infomercial.</p> <p>2 Q. Did you -- you signed the contract for that</p> <p>3 project with Kathy Ireland's company; correct?</p> <p>4 A. I did.</p> <p>5 Q. And what was your understanding at that time</p> <p>6 of the goal of that project?</p> <p>7 A. Well, the goal of the video was to have</p> <p>8 people know more about the NAC and the Aten Coin and to</p> <p>9 develop more of an awareness.</p> <p>10 Q. When, roughly, did you sign that contract?</p> <p>11 A. I signed the contract in the room with</p> <p>12 Marcus, Brandi, and Marco Diadamo all in the room.</p> <p>13 Q. When was that?</p> <p>14 A. On the set, while we were on Kathy Ireland's</p> <p>15 set.</p> <p>16 Q. And that was in December, you said?</p> <p>17 A. Yeah, I think so.</p> <p>18 Q. December 2015?</p> <p>19 A. I believe so.</p> <p>20 Q. You had, by that time -- we know from other</p> <p>21 evidence and testimony that by that time, you had</p> <p>22 already learned that the initial projections -- we</p> <p>23 talked about Mawhinney and his original projections of</p> <p>24 \$140 million and \$100 million. You knew by that time</p> <p>25 that the numbers that he had arrived at were</p>	<p>1 contract --</p> <p>2 Q. Just for the record, for timeline, you signed</p> <p>3 the Kathy Ireland contract after you had put in the</p> <p>4 money or before?</p> <p>5 A. Signed the Kathy Ireland contract after we</p> <p>6 put in the money.</p> <p>7 Q. Okay. Do you have a copy of that contract?</p> <p>8 A. Which contract is that?</p> <p>9 Q. The Kathy Ireland contract.</p> <p>10 A. I do not.</p> <p>11 MR. OLSEN: Let's take about a five-minute</p> <p>12 break.</p> <p>13 (Whereupon, a recess was taken.)</p> <p>14 BY MR. OLSEN:</p> <p>15 Q. Mr. Jodoin, we talked about John Fahy,</p> <p>16 F-A-H-Y, before; correct?</p> <p>17 A. We have.</p> <p>18 Q. And he's an SEC attorney who was providing</p> <p>19 services to NAC; correct?</p> <p>20 A. Yeah, that was my understanding.</p> <p>21 Q. Okay. And you indicated you didn't have much</p> <p>22 contact with him, but would you be surprised if</p> <p>23 Mr. Fahy said that he has a record of some 40 emails</p> <p>24 exchanged with you?</p> <p>25 A. That would be a surprise.</p>
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<p>1 projections, and certainly the value was no greater</p> <p>2 than \$40 million and that was just based on</p> <p>3 projections; correct?</p> <p>4 A. Yes.</p> <p>5 Q. I think you said or maybe your wife said</p> <p>6 there was an effort to maybe get someone else to</p> <p>7 replace Mawhinney with a new company?</p> <p>8 A. Well, there was a conversation to perhaps</p> <p>9 hire someone other than Mawhinney.</p> <p>10 Q. That did not occur; correct?</p> <p>11 A. I was not involved with hiring or getting</p> <p>12 another company.</p> <p>13 Q. Okay. Okay. So you paid the \$225,000 that's</p> <p>14 been at issue in these cases, that you paid, you and</p> <p>15 your wife paid, we'll get to that, paid by you as a</p> <p>16 couple, I guess. That payment occurred early November;</p> <p>17 correct?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. Okay. What was the date again?</p> <p>20 A. November 6th.</p> <p>21 Q. Excuse me one second. And you signed it,</p> <p>22 just on the Kathy Ireland contract issue, you signed</p> <p>23 the contract on the Kathy Ireland deal after that date;</p> <p>24 correct?</p> <p>25 A. You mean I signed the Kathy Ireland</p>	<p>1 Q. Is it not possible or would you say he's not</p> <p>2 telling the truth or you just are surprised?</p> <p>3 A. Well, first of all, I didn't have the</p> <p>4 conversation with him. And I think the only details</p> <p>5 you're getting at would have been Aga dealing with him</p> <p>6 on legal issues. But I believe that I might have been</p> <p>7 CC'd on most of those or some of those. Didn't deal</p> <p>8 with John Fahy.</p> <p>9 Q. Okay. So I'm going to rephrase my prior</p> <p>10 question. I don't remember how I asked it, but as far</p> <p>11 as -- I don't know if it's limited to conversations,</p> <p>12 but as far as communications with Mr. Fahy, how many</p> <p>13 communications did you have with him?</p> <p>14 A. Well, I'm still not clear. So that I was</p> <p>15 directly contacted?</p> <p>16 Q. I'll start with directly contacted or</p> <p>17 contacted him. Let's start there.</p> <p>18 A. Well, I don't believe I really contacted John</p> <p>19 Fahy. If I did, it was with Marcus on the line. If I</p> <p>20 directed an email, it was probably to introduce Aga and</p> <p>21 whatever else, but I was just privy to what they were</p> <p>22 communicating back and forth mostly.</p> <p>23 Q. Okay. How many communications, let's start</p> <p>24 with emails, email communications, would you say that</p> <p>25 you were copied on in an exchange with Mr. Fahy?</p>

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<p>1 A. I couldn't count. I don't know. A few.</p> <p>2 Q. How about telephone conversations? You</p> <p>3 mentioned one telephone conversation in which you were</p> <p>4 a participant. And I want to be sure to define</p> <p>5 telephone conversations broadly. A call placed by you,</p> <p>6 a call received by you involving Mr. Fahy, whether you</p> <p>7 were the named person or not, how many calls?</p> <p>8 A. I don't know.</p> <p>9 Q. Less than 10?</p> <p>10 A. Yes.</p> <p>11 Q. So you would be surprised if he said there</p> <p>12 were 30?</p> <p>13 A. Yep.</p> <p>14 Q. Is he being truthful or are you just</p> <p>15 surprised it's that many and you've forgotten?</p> <p>16 A. Could be both. I don't know -- I don't think</p> <p>17 John Fahy was actually directly out to me personally.</p> <p>18 Q. Well, let's put this in context. You were</p> <p>19 the COO for most of this time you would have been</p> <p>20 dealing with Mr. Fahy; correct?</p> <p>21 A. Well, wouldn't the chief legal officer be</p> <p>22 dealing with legal matters?</p> <p>23 Q. I don't know, but you were an officer of the</p> <p>24 company; right?</p> <p>25 A. Yeah. So my knowledge of what's going on</p>	<p>1 MR. KNECHT: Objection.</p> <p>2 BY MR. OLSEN:</p> <p>3 Q. I'm going to direct you to Exhibit I, the end</p> <p>4 of Exhibit I, starting with page 0085.</p> <p>5 A. Just give me a second.</p> <p>6 Q. Sure.</p> <p>7 A. What page was that again, sir?</p> <p>8 Q. 0085. It's toward the end of Exhibit 1.</p> <p>9 A. I had that printed off.</p> <p>10 Q. You probably did. Corey Jodoin's First</p> <p>11 Supplemental Responses to Plaintiff's First Set of</p> <p>12 Interrogatories. You've seen this document before;</p> <p>13 correct?</p> <p>14 A. Yes, I have.</p> <p>15 Q. Your wife and I, in her deposition, talked at</p> <p>16 some length about her interrogatories. I'm not going</p> <p>17 to go through the whole process. The responses are</p> <p>18 quite similar, if not in some points, identical. I</p> <p>19 think, if you look at the second page of these</p> <p>20 interrogatories, the answer to page -- sorry,</p> <p>21 Interrogatory No. 1, I think we decided in speaking to</p> <p>22 your wife that the statement, "The FBI interviewed me</p> <p>23 and Brandi in August -- I think on August 27th," that</p> <p>24 year was 2018; is that correct? Or was it 2019?</p> <p>25 A. I think 2018 sounds right.</p>
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<p>1 should be --</p> <p>2 MR. KNECHT: Objection.</p> <p>3 MR. OLSEN: Sorry. Are finished, Adam?</p> <p>4 MR. KNECHT: Yeah. My objection is just</p> <p>5 objection to form. Calls for a legal conclusion.</p> <p>6 BY MR. OLSEN:</p> <p>7 Q. Practical conclusion. Just in management of</p> <p>8 a company, you wouldn't be surprised to be involved in</p> <p>9 communications with the company's SEC lawyers when the</p> <p>10 company consisted of less than a dozen management;</p> <p>11 right?</p> <p>12 A. Like I said, the people dealing with John</p> <p>13 Fahy would have been the legal officer and the CEO. I</p> <p>14 believe I was just privy to knowing what they were</p> <p>15 talking about.</p> <p>16 Q. In your prior company, the trenching company,</p> <p>17 did you deal with lawyers?</p> <p>18 A. As the COO, never. Never.</p> <p>19 Q. Never? The company had legal troubles;</p> <p>20 right? Went into receivership?</p> <p>21 A. As an owner of the company, I dealt with</p> <p>22 lawyers.</p> <p>23 Q. Did they send two emails, lawyers to the</p> <p>24 owners, and then one to the officers separately?</p> <p>25 Probably not; right?</p>	<p>1 Q. And that interview, that took place where?</p> <p>2 A. In Las Vegas.</p> <p>3 Q. Have you communicated with the FBI since that</p> <p>4 interview by any means of communication?</p> <p>5 A. I have not.</p> <p>6 Q. Have you instructed your -- well, has your</p> <p>7 lawyer, to your knowledge, communicated with the FBI</p> <p>8 since the interview by any means?</p> <p>9 A. I don't believe so, and not by my</p> <p>10 instruction.</p> <p>11 Q. Did you provide your interrogatory answers,</p> <p>12 either this supplemental set or the original set, to</p> <p>13 the FBI?</p> <p>14 A. I don't believe so.</p> <p>15 Q. Did anyone else do so?</p> <p>16 A. I'm unaware if they have.</p> <p>17 Q. Did you provide any other of the discovery</p> <p>18 responses that you provided in this case, discovery</p> <p>19 being requests for production, requests for admissions,</p> <p>20 interrogatories, did you provide any of those other</p> <p>21 documents to the FBI?</p> <p>22 A. I don't believe so.</p> <p>23 Q. And, to your knowledge, did anyone else do</p> <p>24 so?</p> <p>25 A. That is correct.</p>

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<p>1 Q. Did you provide a copy of your counterclaim</p> <p>2 in this action or the counterclaim in this action to</p> <p>3 the FBI at any time?</p> <p>4 A. No, I had not.</p> <p>5 Q. In your meeting with the FBI, did you tell</p> <p>6 the FBI that you felt you'd been defrauded by NAC or</p> <p>7 Mr. Andrade?</p> <p>8 A. I don't believe so.</p> <p>9 Q. Did you tell them there was -- there were any</p> <p>10 misrepresentations that you relied upon in dealing with</p> <p>11 NAC, either putting your money in or becoming an</p> <p>12 officer?</p> <p>13 A. Yes.</p> <p>14 Q. Did you make a statement that the</p> <p>15 misrepresentations included the valuations that</p> <p>16 Mr. Mawhinney had generated?</p> <p>17 A. Well, they asked most of the questions.</p> <p>18 Q. I'm not really interested in what they asked</p> <p>19 you now as what you said to them. What were your</p> <p>20 answers? Did you have an answer like that?</p> <p>21 A. I did talk to them about a phone call so --</p> <p>22 let me rephrase this. I did talk to them about the</p> <p>23 valuation or the -- we felt was different than what</p> <p>24 was -- I guess we gave them a general story what was</p> <p>25 going on, which valuation was an issue.</p>	<p>1 Mawhinney had generated and we talked about many times,</p> <p>2 if I asked the FBI, they would tell me you've made</p> <p>3 statements like that, wouldn't they?</p> <p>4 A. Well, they probably would because they have</p> <p>5 our file.</p> <p>6 Q. What file do they have?</p> <p>7 A. They have information. They took notes and</p> <p>8 they took information from our counsel's office.</p> <p>9 Q. And they could not reach a conclusion or they</p> <p>10 could not even know the suggestion that you believe</p> <p>11 that a statement of a dollar amount was a</p> <p>12 misrepresentation just from looking at that picture of</p> <p>13 the dollar amount? You had to say you felt that was a</p> <p>14 misrepresentation upon which you relied; correct?</p> <p>15 A. I'm sure I did.</p> <p>16 Q. You also told the FBI, did you not, that</p> <p>17 there was no ID verification done by NAC?</p> <p>18 A. I don't recall that at all.</p> <p>19 Q. So you don't think you said that?</p> <p>20 A. I didn't think so.</p> <p>21 Q. Did your wife say it?</p> <p>22 A. I don't think so.</p> <p>23 Q. The only interview that was with the FBI, you</p> <p>24 were both in the same room together with the FBI;</p> <p>25 right?</p>
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<p>1 Q. What did you tell them about the valuation?</p> <p>2 A. I don't recall every detail, but --</p> <p>3 Q. Okay. Then let me break it down for you.</p> <p>4 Did you tell them that the valuation that Mawhinney had</p> <p>5 generated, valuations, were a misrepresentation made to</p> <p>6 you?</p> <p>7 A. No. I think those were Marcus' valuations.</p> <p>8 Q. Well, okay. So the Mawhinney valuations, you</p> <p>9 know what we're talking about, \$100 million,</p> <p>10 \$140 million, \$40 million, those valuations -- those</p> <p>11 projections -- let me finish my question -- those</p> <p>12 projections, you told the FBI that you relied on those</p> <p>13 numbers to make an investment and that it was a</p> <p>14 misrepresentation of the value; is that correct?</p> <p>15 A. I think it's irrelevant. They didn't really</p> <p>16 care --</p> <p>17 Q. I don't really care -- I'm just asking you.</p> <p>18 I don't know anything about what's relevant to the FBI.</p> <p>19 I'm asking you your statements to the FBI. That's</p> <p>20 what's important to me.</p> <p>21 A. What I'm saying is I don't recall because it</p> <p>22 didn't seem like it was a concern or an issue.</p> <p>23 Q. If the FBI were to tell us that you made</p> <p>24 statements like that, that you felt there was a</p> <p>25 misrepresentation by Marcus based on those numbers that</p>	<p>1 A. Yes, except I was out of the room for a</p> <p>2 couple of times answering phone calls.</p> <p>3 Q. If the FBI said there was a representation by</p> <p>4 you that the -- there was no ID verification, the FBI</p> <p>5 wouldn't, to your knowledge, lie about that, would</p> <p>6 they?</p> <p>7 A. I'm just saying I don't recall.</p> <p>8 Q. I'm sorry. I thought you said you didn't</p> <p>9 make the statement. You don't know whether you</p> <p>10 represented to the FBI that there was no ID</p> <p>11 verification?</p> <p>12 A. I don't recall that actual question being</p> <p>13 asked by the FBI.</p> <p>14 Q. Whether it was asked or not, did you make</p> <p>15 that statement?</p> <p>16 A. I don't believe I did.</p> <p>17 Q. If you made that statement, you agree that it</p> <p>18 would be inaccurate because we talked about the ID</p> <p>19 verification today, and anything beyond your knowledge</p> <p>20 would be pure speculation on your part; correct?</p> <p>21 A. The only thing I can say about the ID</p> <p>22 verification is that, to my knowledge, it was still a</p> <p>23 work in process.</p> <p>24 Q. And that's what you told the FBI, even though</p> <p>25 you know that there was ID verification? You may not</p>

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<p>1 know who it was, but you know there was ID 2 verification. In fact, you sent out statements, 3 representations on your own, to people buying these 4 coins that there was ID verification; isn't that 5 correct?</p> <p>6 MR. KNECHT: Objection. Misstates previous 7 testimony. But go ahead. 8 BY MR. OLSEN:</p> <p>9 Q. You can answer that. You remember your 10 testimony.</p> <p>11 A. Well, you're fast-forwarding a lot of time 12 now. So your questioning isn't relevant to the 13 timeframe.</p> <p>14 Q. The timeframe at which time you spoke with 15 the FBI.</p> <p>16 A. You're saying right now that I, back in 17 February, when I wrote all these informations, we were 18 actively pursuing ID verification.</p> <p>19 Q. Right. And you've not -- you testified -- in 20 fact, you've never testified that there was not ID 21 verification in this deposition today. You've 22 testified to the contrary. You testified that there 23 may have been other people sought as new contractors, 24 but not that it didn't exist. That's what you 25 testified to today.</p>	<p>1 A. That is not true.</p> <p>2 Q. Okay. That is the impression you gave the 3 FBI in your meeting with the FBI; correct?</p> <p>4 A. I have no clue. They didn't tell me that was 5 their impression so I wouldn't know.</p> <p>6 Q. I've seen their impressions, and that's their 7 impression. It's because of the things you told them, 8 which were misrepresentations, were they not, about ID 9 verification at NAC by you?</p> <p>10 A. In my knowledge of what the ID verification 11 had changed three times while I was there. The third 12 time it looked like it was seamless and it looked like 13 it was working well. That's all I can attest to.</p> <p>14 Q. So, again, we talked about this before and I 15 don't want to beat a dead horse, but you're 16 distinguishing between ID verification in existence and 17 ID verification being more seamless and better over 18 time? You would agree it was more seamless and better 19 over time; correct?</p> <p>20 A. It was getting better, yes.</p> <p>21 Q. Okay.</p> <p>22 A. I have no clue after working in 2016.</p> <p>23 Q. Did you tell the FBI there isn't any -- NAC 24 doesn't have any technology?</p> <p>25 A. Why would I say that?</p>
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<p>1 A. Yeah, I testified that the ID verification 2 did exist, but I can only account to what I know. And 3 the last time I knew that the verification was in 4 process, it was still a work in process.</p> <p>5 Q. Well, you're contradicting your own 6 testimony. You said it existed. You're saying it was 7 a work in progress. I take that to mean that there was 8 a forward-looking attempt to do something new and 9 different; fair?</p> <p>10 A. Wrong. You showed me three or four different 11 forms of ID verification, which goes to attest to my 12 actual testimony today that it was a work in process. 13 It was growing and it was evolving as we were getting 14 further down the road.</p> <p>15 Q. So you made statements to purchasers that 16 there was ID verification and a process for ID 17 verification when you believed at the time it was a 18 work in progress? That's not your testimony on that 19 topic.</p> <p>20 A. That's not what I said, and you're putting 21 words in my mouth.</p> <p>22 Q. I'm putting words on the page that you said 23 earlier today. Let me ask it this way.</p> <p>24 So you said -- you seem to be saying by work 25 in progress you mean there isn't any ID verification?</p>	<p>1 Q. That's a good question. If the FBI seem to 2 be saying that based on their interview with you, would 3 that be a misstatement by the FBI about what you said?</p> <p>4 A. I don't know. They asked us if the 5 technology worked. We said yes. They asked us, does 6 it actually mine. We said yes. They asked us if 7 you've seen any patents. I had to say no, never did 8 see a patent from Marcus.</p> <p>9 Q. Okay. That part is easy. Those are of 10 record so that part is easy. So you told the FBI that?</p> <p>11 A. I did.</p> <p>12 Q. Okay.</p> <p>13 MR. OLSEN: Let's take a few-minute break. I 14 may be finished. Let's just break for a couple minutes 15 and regroup.</p> <p>16 MR. KNECHT: Sounds good. (Whereupon, a recess was taken.)</p> <p>17 BY MR. OLSEN:</p> <p>18 Q. We talked about when you went through the 19 wallet and verification process yourself back in 2014, 20 I think you said?</p> <p>21 A. Something like that.</p> <p>22 Q. Okay. We talked about the name Junio as the 23 third-party ID verification company. This is a few 24 years ago, I acknowledge, but you don't have any</p>

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<p>1 recollection of the Junio logo actually appearing on</p> <p>2 the screen?</p> <p>3 A. It could have been there. I don't recall.</p> <p>4 Q. Okay. You knew that there was some third</p> <p>5 party, whoever it was, as we discussed, doing the ID</p> <p>6 verification throughout the period which you were</p> <p>7 either buying coins or working there; right?</p> <p>8 A. Well, originally, I just thought it would be</p> <p>9 NAC doing that. I didn't realize it would be a third</p> <p>10 party. But a third party makes perfect sense. It's</p> <p>11 not unbelievable, for sure.</p> <p>12 Q. Well, and you know that it was the case at</p> <p>13 least for some period of time that there was a third</p> <p>14 party?</p> <p>15 A. Yes, I'm well aware that there was definitely</p> <p>16 a third party.</p> <p>17 Q. I have one more question. There was some</p> <p>18 discussion in your wife's deposition about Marco</p> <p>19 Diadamo?</p> <p>20 A. Okay.</p> <p>21 Q. And on that question I asked this question,</p> <p>22 it was a little more oblique, but do you have any</p> <p>23 reason or any experience with your wife being disloyal</p> <p>24 to you?</p> <p>25 A. Disloyal to me?</p>	<p>1 call it an alliance, but who did she work with that she</p> <p>2 liked or got along with?</p> <p>3 A. Brandi got along with everybody. Brandi is</p> <p>4 very happy, very bubbly. She's easy to talk to. She's</p> <p>5 a people person.</p> <p>6 Q. Did she complain to you about NAC, any NAC</p> <p>7 team members, management team members?</p> <p>8 A. Not that I'm aware of. She may not agree</p> <p>9 with some of the decisions that Marcus would make, but</p> <p>10 that doesn't mean she would ever say anything bad about</p> <p>11 Marcus.</p> <p>12 Q. Or any other team members? Did she get</p> <p>13 sideways with any of the team members?</p> <p>14 A. Never.</p> <p>15 Q. Any of the Polish team?</p> <p>16 A. No. She got along with everybody.</p> <p>17 Q. Marco?</p> <p>18 A. She might say bad things about her husband.</p> <p>19 Q. Well, we won't get my wife under oath.</p> <p>20 MR. OLSEN: I don't have anything else.</p> <p>21 Counsel, anything?</p> <p>22 MR. KNECHT: I don't think so. I'm fine.</p> <p>23 MR. OLSEN: That's it. We will conclude it.</p> <p>24 Thanks.</p> <p>25 THE WITNESS: Thank you very much.</p>
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<p>1 Q. Yes.</p> <p>2 A. In what way?</p> <p>3 Q. Any way that would have come up in the NAC</p> <p>4 context.</p> <p>5 MR. KNECHT: Objection to form. What do you</p> <p>6 mean by disloyal?</p> <p>7 MR. OLSEN: The question is out there.</p> <p>8 THE WITNESS: Can you restate it or</p> <p>9 something, give it more context?</p> <p>10 BY MR. OLSEN:</p> <p>11 Q. Did she say anything, do anything, that was</p> <p>12 in connection with NAC or NAC personnel that was</p> <p>13 contrary to your agreements or things you discussed,</p> <p>14 relationship, in the context of this company?</p> <p>15 MR. KNECHT: Same objection.</p> <p>16 THE WITNESS: You mean was she negative</p> <p>17 towards someone on the team?</p> <p>18 BY MR. OLSEN:</p> <p>19 Q. Did she contradict you or your instructions</p> <p>20 with respect to dealing with NAC or the team?</p> <p>21 A. I don't believe so.</p> <p>22 Q. Did she have any personal relationships with</p> <p>23 people on the NAC team that would, you know, that she</p> <p>24 was in alliance of any kind, relationship with another</p> <p>25 person on the NAC team that was, I don't know if I'd</p>	<p>1 (Whereupon, the deposition was concluded at</p> <p>2 4:44 p.m.)</p> <p>3 * * * * *</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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1 CERTIFICATE OF DEPONENT
2 PAGE LINE CHANGE REASON

3 _____
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12 _____

13 * * * * *

14 I, COREY JODOIN, deponent herein, do hereby
15 certify and declare the within and foregoing
transcription to be my deposition in said action; that
16 I have read, corrected, and do hereby affix my
signature to said deposition under penalty of perjury.

17 _____
18 _____
19 COREY JODOIN, Deponent
20 _____
21 _____
22 _____
23 _____
24 _____

25 Job No. 40188

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1 CERTIFICATE OF REPORTER
2 STATE OF NEVADA)
3) ss:
COUNTY OF CLARK)

4 I, Kimberly A. Farkas, a Certified Court Reporter
5 licensed by the State of Nevada, do hereby certify:
6 That I reported the deposition of COREY JODOIN, April
7 16, 2020, at 1:18 P.M.

8 That prior to being deposed, the witness was
9 duly sworn by me to testify to the truth. That I
10 thereafter transcribed my said stenographic notes into
11 written form, and that the typewritten transcript is a
12 complete, true and accurate transcription of my said
13 stenographic notes; that review of the transcript was
14 requested.

15 I further certify that I am not a relative,
16 employee or independent contractor of counsel or of any
17 of the parties involved in the proceeding; nor a person
18 financially interested in the proceeding.

19 IN WITNESS WHEREOF, I have set my hand in my
20 office in the County of Clark, State of Nevada, this
21 1st day of May, 2020.

22 _____
23 Kimberly A. Farkas, CCR NO. 741
24 _____
25 _____

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